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COUNTY ORDINANCE 28

An ordinance to provide for the imposition of a local income tax, inconformity with House Bill 378 passed by the 1967 General Assembly of Maryland

BE IT ORDAINED that a local income tax at the rate of 20% of the Maryland State income tax is hereby imposed on all residents of Queen Anne's County beginning with the calendar year 1967

BE IT FURTHER ORDAINED that this ordinance shall take effect the 2nd day of May 1967.

THE COUNTY COMMISSIONERS
OF QUEEN ANNE'S COUNTY

/S/ William E. Coleman
William E. Coleman

/S/ Leonard E. Smith
Leonard E. Smith

/S/ Julius Grollman
Julius Grollman

Dated: May 2, 1967

ATTEST:

Lillian C. Callaway
Lillian C. Callaway, Clerk

COUNTY ORDINANCE 29

IN THE MATTER OF:

THE PETITION OF HERMAN S. THOMPSON AND MILDRED C. THOMPSON, HIS WIFE, FOR A CHANGE IN CLASSIFICATION OF A TRACT OF LAND IN THE FIFTH ELECTION FROM " A-2 " AGRICULTURAL CONSERVATION TO " R-5 " GENERAL RESIDENCE

For the reasons stated, the County Commissioners of Queen Anne's County are of the opinion that a mistake was made in the original zoning ordinance, and it was, therefore, moved by Mr. Grollman, seconded by Mr. Smith, and unanimously resolved that the following amendment to the Comprehensive Zoning Ordinance of Queen Anne's County be adopted.

BE IT ORDAINED, that the property of Herman S. Thompson and wife, being Parcel No. 369 on Sectional Zoning Map No. 58 and as more accurately described by survey of the same made by William R. Nuttle in August, 1966, containing approximately 8.310 acres be and the same is hereby rezoned from " A-2 " Agricultural Conservation to " R-5 " General Residence, and

BE IT FURTHER ORDAINED, that all of the land located on the South side of the County road leading from Grasonville to Robinson's Church in the fifth Election District of Queen Anne's County, State of Maryland, beginning at Parcel No. 369 as shown on Sectional Zoning Map No. 58 to and including Parcel No. 208 as shown on said Sectional Zoning Map No. 58 for a depth of 500 feet from the South Side of said road, be and it is hereby rezoned " R-5 " General Residence.

BE IT FURTHERED ORDAINED, that this Ordinance shall be effective as of the date hereof.

THE COUNTY COMMISSIONERS
OF QUEEN ANNE'S COUNTY

/S/ William E. Coleman
William E. Coleman

/S/ Leonard E. Smith
Leonard E. Smith

/S/ Julius Grollman
Julius Grollman

Dated: June 14, 1967

ATTEST:

Lillian C. Callaway
Lillian C. Callaway, Clerk

COUNTY ORDINANCE 30

IN THE MATTER OF:

THE PETITION OF RAE ROBERTS AND HARVEY E. HORTMAN FOR A CHANGE IN THE CLASSIFICATION OF TWO TRACTS OF LAND LOCATED IN THE FIFTH ELECTION DISTRICT OF QUEEN ANNE'S COUNTY FROM " A-2 " to " B-2 "

For the reasons stated, to wit, that it was a mistake not to have zoned this particular property " B-2 " at the time of the original ordinance and further that there has been a change in the character of the neighborhood. It was moved by Mr. Smith, seconded by Mr. Grollman, and unanimously resolved that the following amendment to the Comprehensive Zoning Ordinance of Queen Anne's County be adopted.

BE IT ORDAINED, that all that lot or parcel of land situate, lying and being in the Fifth Election District of Queen Anne's County, State of Maryland, lying on the South side of the old state highway leading from Grasonville to the Kent Narrows, being bounded on the North by said State Road, and on the West by the lands of Thomas E. Pierson and the lands of Henry W. Miehe and the waters of Marshy Creek, being bounded on the South and East by the waters of Marshy Creek, and being the same and all the land granted and conveyed unto Harvey E. Hortman by Rae T. Roberts, et ux, be and the same is hereby rezoned from " A-2 " Agricultural Conservation to " B-2 " General Business District.

BE IT FURTHER ORDAINED, that this Ordinance shall be effective as of the date hereof.

The Petition for the rezoning of a small triangular parcel of land still in the ownership of Rae T. Roberts is denied.

THE COUNTY COMMISSIONERS OF QUEEN ANNE'S COUNTY

/S/ William E. Coleman
William E. Coleman

/S/ Leonard E. Smith
Leonard E. Smith

Julius Grollman

Dated: July 11, 1967

ATTEST:

Lillian C. Callaway
Lillian C. Callaway, Clerk

IN THE MATTER OF:

THE RECOMMENDATIONS OF THE PLANNING AND ZONING COMMISSION FOR CERTAIN AMENDMENTS TO THE TEXT OF THE COMPREHENSIVE ZONING ORDINANCE

For the reasons stated, it was moved by Mr. Smith, seconded by Mr. Grollman, and unanimously resolved that the following amendment to the Comprehensive Zoning Ordinance of Queen Anne's County be adopted.

BE IT ORDAINED, that Article 6, Article 7, and Article 8 of the Comprehensive Zoning Ordinance of Queen Anne's County be amended by adding a new section to each article to be known as Section 6.109, 7.108, and 8.105 respectively, each and every of the aforesaid sections to read as follows:

"Commercial and non-commercial hunting and fishing sites, including regulated shooting areas approved by the Maryland Game and Inland Fish Commission, provided, however, that each such regulated shooting area, farm, island or other area of land in single ownership or control, upon which commercial or non-commercial hunting and fishing sites are located, shall contain not more than one dwelling, lodge, or other building for the housing, lodging, or keeping of guests or patrons."

BE IT FURTHER ORDAINED, that this Ordinance shall be effective as of the date hereof.

THE COUNTY COMMISSIONERS OF
QUEEN ANNE'S COUNTY

/S/ William E. Coleman
William E. Coleman

/S/ Leonard E. Smith
Leonard E. Smith

/S/ Julius Grollman
Julius Grollman

Date: August 1, 1967

ATTEST:

Lillian C. Callaway
Lillian C. Callaway, Clerk

EX PARTE IN THE MATTER OF:

THE PETITION OF KENT REAL ESTATE HOLDING COMPANY, LIMITED PARTNERSHIP, FOR A CHANGE IN THE CLASSIFICATION OF A TRACT OF LAND IN THE SECOND ELECTION DISTRICT FROM "A-1" TO "B-2"

For the reasons stated, to wit, that it was a mistake not to have zoned additional property "B-2" at the time of the original Ordinance, it was moved by Mr. Smith, seconded by Mr. Grollman, and unanimously resolved that the following amendment to the Comprehensive Zoning Ordinance be adopted.

BE IT ORDAINED, that all that lot or parcel of land situate, lying and being in the Second Election District of Queen Anne's County, State of Maryland, lying on the North side of Route 213, bounded on the West by other lands of the Kent Real Estate Holding Company, on the North and East by the lands of Harrison M. Myers and Elizabeth Coles Myers, and on the South by the aforesaid Route 213 and containing 1.35 acres of land, more or less, be and the same is hereby rezoned from "A-1" Agriculture to "B-2" General Business District.

BE IT FURTHER ORDAINED, that this Ordinance shall be effective as of the date hereof.

THE COUNTY COMMISSIONERS OF QUEEN
ANNE'S COUNTY

/s/ William E. Coleman

/s/ Leonard E. Smith

/s/ Julius Grollman

Dated: December 5, 1967

ATTEST:

Lillian C. Callaway
Lillian C. Callaway, Clerk

IN THE MATTER OF:

THE RECOMMENDATION OF THE PLANNING AND ZONING COMMISSION FOR AMENDMENTS TO THE SUBDIVISION REGULATIONS ORDINANCE NO. 17

For the reasons stated, it was moved by Mr. Grollman, seconded by Mr. Smith, and unanimously resolved that the following ordinance be adopted.

BE IT ORDAINED, that sub-section A (1) titled "Streets" of Section X titled "Required Improvements" of Ordinance No. 17 titled "Sub-division Regulations, Queen Anne's County, adopted 1st day of June, 1965" be repealed.

BE IT FURTHER ORDAINED, that Sub-section A (1) titled "Streets" of Section X titled "Required Improvements" of Ordinance No. 17 titled "Sub-division Regulations, Queen Anne's County, Adopted 1st day of June, 1965" read as follows:

- 1. Streets. All new public streets shall be graded and drained, base material and surface treatment applied, in accordance with the minimum standards of design and construction adopted by the County Roads Board for acceptance into the County System of roads. A name sign of an approved design shall be erected at each new street intersection.

BE IT FURTHER ORDAINED, that this Ordinance shall be effective as of the date hereof.

THE COUNTY COMMISSIONERS OF QUEEN ANNE'S COUNTY

/s/ William E. Coleman
William E. Coleman

/s/ Julius Grollman
Julius Grollman

/s/ Leonard E. Smith
Leonard E. Smith

Dated: April 16, 1968

ATTEST:

William C. Callaway
William C. Callaway, Clerk

EX PARTE IN THE MATTER OF:

THE PETITION OF CHARLES L. CRANFILL AND MEDRA CRANFILL, HIS WIFE, FOR A CHANGE IN THE CLASSIFICATION OF A TRACT OF LAND LOCATED IN THE SEVENTH ELECTION DISTRICT OF QUEEN ANNE'S COUNTY, MARYLAND, FROM "R-2" to "A-2"

For the reasons stated, it was moved by Mr. Smith, seconded by Mr. Grollman, and unanimously resolved that the following amendment to the Comprehensive Zoning Ordinance of Queen Anne's County be adopted.

BE IT ORDAINED, that all that lot or parcel of land situate, lying and being in the Seventh Election District of Queen Anne's County, State of Maryland, being a part of that farm known as "Duck's Neck Farm", more particularly described as follows:

"Beginning at the end of the 36th course as shown on Commission Exhibit No. 1A and running thence, by and with courses 37 through 92 on said Exhibit; thence, N 86° 15' 30" W, to the East side of the Duck's Neck Sub-division; thence, in a northerly direction by and with the eastern boundary line of the Duck's Neck Sub-division to the North side of Canvasback Road, as shown on the aforesaid Exhibit; thence, by and with the North side of Canvasback Road to the eastern boundary line of Duck's Neck Sub-division; thence by and with the East side of Duck's Neck Sub-division to the end of Course No. 36 in the place of beginning."

be and it is hereby zoned "A-2", Agricultural Conservation District.

BE IT FURTHER ORDAINED, that this Ordinance shall be effective as of the date hereof.

THE COUNTY COMMISSIONERS OF
QUEEN ANNE'S COUNTY

/s/ William E. Coleman
William E. Coleman

/s/ Julius Grollman
Julius Grollman

/s/ Leonard E. Smith
Leonard E. Smith

Dated: April 16, 1968

ATTEST:


Lillian C. Callaway, Clerk

IN THE MATTER OF:

THE RECOMMENDATION OF THE PLANNING AND ZONING COMMISSION FOR AMENDMENTS TO THE TEXT OF THE COMPREHENSIVE ZONING ORDINANCE

For the reasons stated, it was moved by Mr. Smith, seconded by Mr. Grollman, and unanimously resolved that the following amendment to the text of the Comprehensive Zoning Ordinance for Queen Anne's County be adopted.

BE IT ORDAINED, that Section 16.106 be amended to read as follows:

".....the following uses where located not less than three hundred (300) feet from any "R" District, and not less than one hundred (100) feet from any other district....."

Meat, poultry, and seafood packing and storage for wholesale; but not stock yards or slaughter houses specified as a conditional use in Section 16.20.

BE IT FURTHER ORDAINED, that Section 16.202 be amended to read as follows:

16.202.....The following uses when the location of each use shall have been authorized by the Board of Appeals, provided that any such use shall be located at least six hundred (600) feet from any "R" District and at least two hundred (200) feet from any other district.

.....,poultry slaughter house.

BE IT FURTHER ORDAINED, that this Ordinance shall be effective as of the date hereof.

THE COUNTY COMMISSIONERS OF QUEEN ANNE'S COUNTY

/s/ William E. Coleman
William E. Coleman

Dated: July 23, 1968

/s/ Julius Grollman
Julius Grollman

ATTEST:

/s/ Leonard E. Smith
Leonard E. Smith

Lillian G. Callaway
Lillian G. Callaway, Clerk

IN THE MATTER OF

THE RECOMMENDATION OF THE PLANNING AND ZONING COMMISSION FOR AN AMENDMENT TO THE TEXT OF THE COMPREHENSIVE ZONING ORDINANCE TO PROVIDE FOR A MULTI-FUNCTIONAL MARINA

For the reasons stated, it was moved by Mr. Smith, seconded by Mr. Grollman, and unanimously resolved that the following amendment to the Comprehensive Zoning Ordinance for Queen Anne's County adding a new article, Article 17.13 "Multi-Functional Marina", be adopted.

BE IT ORDAINED, that a new article, 17.13, entitled Multi-Functional Marina be added to the Comprehensive Zoning Ordinance to read as follows:

17.13 MULTI-FUNCTIONAL MARINA

17.131 - The owner of a tract of land located in any A-1, A-2, R-2, R-3, R-4 or R-5 District and containing not less than ten (10) acres of land and having not less than 500 feet of frontage on tidal water may submit to the Planning Commission for its review a preliminary plan for the use and development of such a tract of land for a multi-functional marina.

17.132 - In accepting such plan for review, the Planning Commission must be satisfied that the applicant intends to start construction within One (1) year of the approval of the project and shall complete the project within a reasonable time as determined by the Commission. Where the applicant proposes to construct the marina in stages, the Zoning Commission may determine which stages shall be placed under construction within one (1) year and may thereafter establish beginning construction dates for the other stages.

17.133 - It shall be the duty of the Planning Commission to investigate and ascertain whether the location, size, and other characteristics of the site, and the proposed plan, comply with the following conditions:

17.1331 - The need for the proposed marina at the proposed location, to provide multi-functional marina facilities or services, has been demonstrated by the applicant by means of market studies or such other evidence as the Commission may require.

17.1332 - The proposed marina is at a location where traffic congestion does not then exist on the roads or waterways to be utilized for access to the proposed marina and where such congestion will not likely be created by the proposed marina; or where such congestion will be obiated by presently projected improvements of access roads or waterways by demonstrable provisions in the plan for proper entrances and exits and by internal pro-

visions for traffic, parking, and dockage.

17.1333 - The plan provides for a multi-functional marina consisting of one or more groups of buildings of integrated and harmonious design, together with adequate and properly arranged traffic and parking facilities and landscaping, which will be attractive, convenient, pleasant and safe to use, and which will fit harmoniously into and will have no adverse effect upon, the adjoining or surrounding development.

17.134 - The uses permitted in the multi-functional marina shall be facilities for the sale, repair, storage, launching, berthing, securing, fueling and general servicing of water craft of all types. Accessory uses would include restaurant, motels, laundrymats and like uses for personal services of the marina's clients. No residential, heavy commercial or industrial uses not oriented to marina uses shall be permitted.

17.135 - The following regulations shall apply to the multi-functional marina.

17.1351 - Building Heights - No building shall exceed four (4) stories or forty (40) feet in height, except as modified by Section 18.2 of this Ordinance.

17.1352 - Yards: No building or marina use, including parking or storage, shall be less than 125 feet from the right-of-way of any public road or less than 100 feet from any other boundary of the tract, except the water-front boundary. The preliminary plan shall provide for permanent screening from all adjoining properties in an "A" or "R" District by a solid walls, fence, or compact evergreen hedge. The installation of said screening shall be determined from time-to-time by the Commission as it is deemed necessary to protect surrounding properties.

17.1353 - Tract coverage: The ground area occupied shall not exceed in the aggregate twenty-five (25) per cent of the total area of the tract.

17.1354 - Parking Space: Notwithstanding any other provisions of this Ordinance, there shall be in addition thereto off-street parking spaces at the rate of not less than three spaces for every two boat moorings or boat slips, plus two spaces for each boat launched and remaining launched at any given time, plus one space for each employee.

17.1355 - Accessway and Illumination of Parking Areas: These shall conform to the requirements for off-street parking areas, Section 17.02 of this Ordinance.

17.1356 - Signs or Advertising: That no adver-

tising sign or device over 15 square feet in size shall be displayed, nor any light or lighted sign that may create a hazard to navigation; accessory directional on premises signs may be authorized.

17.1357 - Sanitary Facilities: Marina shall provide adequate sanitary conveniences such as toilets, washrooms, showers, hot water and other sanitary facilities. It shall be the responsibility of every marina owner to see that toilet facilities on boats shall not be used when berthed, but that, on-shore sanitary facilities shall be used by all boat owners and their guests.

17.136 - Upon determination by the Planning Commission, that the proposed marina, as shown on the preliminary plan, appears to conform to the requirements of this Section and all other applicable requirements of this Ordinance, the applicant shall prepare and submit a final development plan which shall incorporate any changes or modifications required by the Commission.

17.137 - Upon receipt of the preliminary plan and after investigation thereof, the Planning Commission shall hold a public hearing prior to any approval of said preliminary plan. Two weeks notice by newspaper advertising, and by posting of the property shall be given prior to the hearing.

17.138 - After the final development plan has been approved and in the course of carrying out this plan adjustments or re-adjustments of buildings, parking areas, loading areas, dockage and piers, entrances, heights or yards, may be requested by the applicant, and provided such requests conform to the standards established by the final development plan and this Ordinance, such adjustments or re-adjustments may be authorized by the Planning Commission.

BE IT FURTHER ORDAINED, that this Ordinance shall be effective as of the date hereof.

THE COUNTY COMMISSIONERS
OF QUEEN ANNE'S COUNTY

/s/ William E. Coleman
William E. Coleman

Dated: July 30, 1968

ATTEST:

/s/ Julius Grollman
Julius Grollman

Lillian C. Callaway
Lillian C. Callaway, Clerk

/s/ Leonard E. Smith
Leonard E. Smith

County Ordinance 37

IN THE MATTER OF THE PETITION OF JUNE F. KOLATA, NEE JUNE F. OWENS, FOR CHANGE IN CLASSIFICATION OF A TRACT OF LAND IN THE FIFTH ELECTION DISTRICT OF QUEEN ANNE'S COUNTY FROM A-1 AGRICULTURAL DISTRICT TO R-2 SUBURBAN RESIDENT DISTRICT

For the reasons stated, it was moved by Mr. Grollman, seconded by Mr. Smith, and unanimously resolved that the following amendment to the Comprehensive Zoning Ordinance of Queen Anne's County be adopted.

BE IT ORDAINED, that all that lot or parcel of land situate, lying and being in the Fifth Election District of Queen Anne's County, State of Maryland; on the East side of Green Spring Road; bounded on the North and East by the land of or formerly of, John E. Kinnamon; on the South by the land of W. H. Comegys, Jr., et al; and on the West by the afore-said Green Spring Road, be and the same is hereby zoned R-2 Suburban Resident District.

BE IT FURTHER ORDAINED, that this Ordinance shall be effective as of the date hereof.

THE COUNTY COMMISSIONERS
OF QUEEN ANNE'S COUNTY

/s/ William E. Coleman
William E. Coleman

Julius Grollman

Dated: September 17, 1968

ATTEST:

/s/ Leonard E. Smith
Leonard E. Smith

/s/ Lillian C. Callaway
Lillian C. Callaway, Clerk

County Ordinance 38

IN THE MATTER OF THE RECOMMENDATION OF THE PALNNING AND ZONING COMMISSION FOR AN AMENDMENT TO THE TEXT OF THE COMPREHENSIVE ZONING ORDINANCE

For the reasons stated, it was moved by Mr. Smith, seconded by Mr. Grollman, and unanimously resolved that the following amendment to the text of the Comprehensive Zoning Ordinance for Queen Anne's County be adopted.

BE IT ORDAINED, that the Section 15.508 be amended to read as follows:

15.508 . . . The buildings on any premises shall not cover in the aggregate more than twenty-five (25) percent of the gross site area; provided, however, if a public sanitary sewer system or an acceptable community sanitary sewer system is provided for the premises the buildings shall not cover in the aggregate more than fifty (50) percent of the gross site area."

BE IT FURTHER ORDAINED, that this Ordinance shall be effective as of the date hereof.

THE COUNTY COMMISSIONERS OF
QUEEN ANNE'S COUNTY

/s/ William E. Coleman
William E. Coleman

/s/ Julius Grollman
Julius Grollman

Dated: November 26, 1968

ATTEST:
/s/ Lillian E. Callaway
Lillian C. Callaway, Clerk

/s/ Leonard E. Smith
Leonard E. Smith

County Ordinance 39

EX PARTE IN THE MATTER OF THE PETITION OF HOLTON EDWARD RHODES, JR. AND NANCY GOLT RHODES, HIS WIFE, FOR A CHANGE IN THE CLASSIFICATION OF A TRACT OF LAND LOCATED IN THE FIFTH ELECTION DISTRICT OF QUEEN ANNE'S COUNTY, MARYLAND, FROM "A-1" TO "M-2"

For the reasons stated, it was moved by Mr. Smith, seconded by Mr. Grollman, and unanimously resolved that the following amendment to the Comprehensive Zoning Ordinance of Queen Anne's County be adopted.

BE IT ORDAINED, that all that lot or parcel of land situate, lying and being in the Fifth Election District of Queen Anne's County, Maryland, beginning at the existing "M-2" boundary zone on Bloomingdale Road (being a corner of the Rhodes, land, land of the Farmer's Coop., and Bloomingdale Road) and extending in a southerly direction a distance of 1,400 feet along and with Bloomingdale Road; thence in a line being approximately North 48 degrees West to the northern boundary of the Rhodes farm; thence, by and with the northern boundary of the Rhodes farm to the land of Ralph L. Whaley; and thence, by and with the Whaley land to the aforesaid place of beginning, containing approximately 140 acres, be and the same is hereby zoned "M-2" (General Industrial).

NOTE: Said area of land is noted on Petitioner's Exhibit 1-B in green.

BE IT FURTHER ORDAINED, that this rezoning is subject to the Petitioner granting the County Commissioners of Queen Anne's County a strip of land ten feet in width along the northern right-of-way line of Bloomingdale Road for the purposes of widening and improving the aforesaid road.

BE IT FURTHER ORDAINED, that this Ordinance shall be effective as of the date hereof.

THE COUNTY COMMISSIONERS OF
QUEEN ANNE'S COUNTY

/s/William E. Coleman
William E. Coleman

/s/Julius Grollman
Julius Grollman

Dated: December 23, 1968

ATTEST:
/s/ Lillian C. Callaway
Lillian C. Callaway, Clerk

/s/Leonard E. Smith
Leonard E. Smith

County Ordinance 40

IN THE MATTER OF THE RECOMMENDATION OF THE PLANNING AND ZONING COMMISSION FOR AMENDMENTS TO THE TEXT OF THE COMPREHENSIVE ZONING ORDINANCE.

For the reasons stated, it was moved by Mr. Smith, seconded by Mr. Coleman, and unanimously resolved that the following amendments to the text of the Subdivision Regulations of Queen Anne's County and the Comprehensive Zoning Ordinance for Queen Anne's County be adopted.

BE IT ORDAINED, that Article 2, B (5) of the Subdivision Regulations be amended as follows: repeal the last sentence thereof that reads, "Provided, also, that in the case of any subdivision containing more than ten (10) lots, all streets shall be improved to the same specifications as for public streets," and re-ordain to read, as follows: "Provided, also, that in the case of any subdivision containing more than five (5) lots, all streets shall be improved to the same specifications as for public streets." (New material underlined).

BE IT FURTHER ORDAINED, that Article III, a, 10 of the Subdivision Regulations be amended, to read, as follows: "10. Alleys shall be avoided. Easements for utility lines or drainage purposes shall be provided along the rear or side lots lines, where required, and these shall be used for the installation of service pole lines instead of streets or it underground utility lines are provided the easement may be in the front of the lot." (New material underlined).

BE IT FURTHER ORDAINED, that Article X of the Subdivision Regulations be amended by adding a new section there to, to be entitled Article X, Section 5 and to read, as follows: "Electricity and telephone utilities: All electric and telephone lines required to serve lots in the subdivision shall be installed prior to final approval or bond for installation thereof shall be filed as set forth in Section III, F, (1) and (2) of this Ordinance, or certificates from the appropriate public service companies shall be filed obligating them to install said utilities within a time to be designated by the Commission." (New material underlined.)

BE IT FURTHER ORDAINED, that Article III of the Subdivision Regulations be amended by adding a new subsection thereto, to be titled Article III, D, 1 and to read, as follows: "Community Beach Areas" - No community beach area shall be approved or utilized after approval, nor shall any unsubdivided land be utilized for a community beach area for a subdivision, whereon any improvements, structures or facilities are provided for the launching, anchoring, securing, fueling, repairing or servicing of boats or water craft, said community beaches to be utilized solely for beach and on premises recreation purposes." (New material underlined.)

BE IT FURTHER ORDAINED, that the existing Article X, 3, of the Subdivision Regulations be repealed and re-ordained as Article X, 3, to read, as follows: "Water and Sewers - A Community water system and sewer system shall be installed, including connections for each lots, appropriately spaced fire hydrants, an approved source of potable water supply and an approved method of sewage disposal in any subdivision in the R-2, R-3, R-4, or R-5 zones that contains over 100 lots and any subdivision in the A-1 zone containing over 200 lots or in any subdivision where the Queen Anne's County Health Officer deems it necessary because of the density or character of development. ("Subdivision as used hereon shall mean any one subdivision or aggregate of subdivisions under one or related ownership or in the same general plan of development and situated in the same neighborhood). The design installation and operation of such facilities shall be subject to approval by the State Department of Health and if connected to an existing public system, any such water or sewer installation shall meet the standards and requirements of such system and shall become a part thereof, without cost to public agency. The improvements required hereunder may be constructed under the bond requirements set forth in Article III, F, (1) and (2).

BE IT FURTHER ORDAINED, that Section 6:104 (A-1 Zone) of the Comprehensive Zoning Ordinance be repealed and re-ordained Section 6:104 to read, as follows:

"6:104 - Public and private forests and wildlife preserves and similar conservation areas."

BE IT FURTHER ORDAINED, that a new section to be numbered 6:218 - (A-1) Zone Conditional Use Requiring Board Authorization), be added to the Comprehensive Zoning Ordinance as follows:

"6.218 - Private non-commercial recreation areas and centers including county clubs, yacht clubs, swimming pools, golf courses and summer camps, provided the minimum lot area shall be five (5) acres. (Nothing herein shall be construed so as to apply to a private Residential Property)."

BE IT FURTHER ORDAINED, that this Ordinance shall be effective as of the date hereof.

THE COUNTY COMMISSIONERS OF
QUEEN ANNE'S COUNTY

/s/William E. Coleman
William E. Coleman

Dated: April 29, 1969

ATTEST:
/s/Lillian C. Callaway
Lillian E. Callaway, Clerk

/s/Julius Grollman
Julius Grollman

/s/Leonard E. Smith
Leonard E. Smith

County Ordinance 41

EX PARTE IN THE MATTER OF THE PETITION OF SYLVESTER FARMS, INC. FOR A CHANGE OF CLASSIFICATION OF 21.984 ACRES OF LAND IN THE SIXTH ELECTION DISTRICT OF QUEEN ANNE'S COUNTY FROM A-1 AGRICULTURAL DISTRICT TO 14.938 ACRES OF B-2 GENERAL BUSINESS DISTRICT AND 7.046 ACRES OF R-2 SUBURBAN RESIDENCE DISTRICT.

For the reasons stated, it was moved by Mr. Smith, seconded by Mr. Coleman, and unanimously resolved that the following amendment to the Comprehensive Zoning Ordinance of Queen Anne's County be adopted.

BE IT ORDAINED, that the 21.984 acres of Sylvester Farms, Inc. in the Sixth Election District of Queen Anne's County lying to the South of Maryland Route No. 404 as more particularly described by metes and bounds, courses and distances, according to a plat dated November, 1968, by Paul J. Yoasc filed with the original petition herein together with all of the property of Herman Callahan, Jr. lying to the South of Maryland Route No. 404 likewise situate to the Sixth Election District of Queen Anne's County and containing 12.038 acres of land, as more particularly described by metes and bounds, courses and distances, according to a certificate of survey by J. Malcolm Bye, and which is likewise filed herein, be and the same is hereby rezoned B-2 General Business.

BE IT FURTHER ORDAINED, that this Ordinance shall be effective as of the date hereof.

THE COUNTY COMMISSIONERS OF
QUEEN ANNE'S COUNTY

/s/William E. Coleman
William E. Coleman

/s/Julius Grollman
Julius Grollman

Dated: April 29, 1969

ATTEST:

/s/Leonard E. Smith
Leonard E. Smith

/s/Lillian C. Callaway
Lillian C. Callaway, Clerk

County Ordinance 42

EX PARTE IN THE MATTER OF THE PETITION OF HOLTON E. RHODES AND M. EDITH RHODES, HIS WIFE, FOR A CHANGE IN CALSSIFICATION OF A TRACT OF LAND LOCATED IN THE THIRD ELECTION DISTRICT OF QUEEN ANNE'S COUNTY, FROM "A-1" AGRICULTURAL DISTRICT TO "B-2" GENERAL BUSINESS DISTRICT.

For the reasons stated, it was moved by Mr. Grollman, seconded by Mr. Smith, and unanimously resolved that the following amendment to the Comprehensive Zoning Ordinance of Queen Anne's County be adopted.

BE IT ORDAINED, that all that lot or parcel of land situate lying and being in the Third Election District of Queen Anne's County, Maryland, lying on the North side of but not immediately adjacent to Route 404 containing 18.185 acres as more particularly outlined on a plat of the same attached to the zoning petition in this case (the same being a part of the "Annie E. Callahan Farm" conveyed to Holton E. Rhodes and M. Edith Rhodes, his wife, by Mary T. Murphy Widow, et al, by deed dated June 26, 1959, and recorded in Liber T.S.P. No. 48, folio 504, a Land Record Book for Queen Anne's County), be and the same is hereby rezoned "B-2" General Business District.

BE IT FURTHER ORDAINED, that this Ordinance shall be effective as of the date hereof.

THE COUNTY COMMISSIONERS OF
QUEEN ANNE'S COUNTY

/s/William E. Coleman
William E. Coleman

/s/Julius Grollman
Julius Grollman

Dated: April 29, 1969

ATTEST:

/s/Leonard E. Smith
Leonard E. Smith

/s/Lillian C. Callaway
Lillian C. Callaway, Clerk

County Ordinance 43

EX PARTE IN THE MATTER OF THE PETITION OF JOSEPH F. RITCHEY FOR A CHANGE IN ZONING CLASSIFICATION OF A TRACT OF LAND IN THE FOURTH ELECTION DISTRICT OF QUEEN ANNE'S COUNTY, MARYLAND, CONTAINING 13.1 ACRES FROM M-1 INDUSTRIAL PARK DISTRICT TO R-4 APARTMENT DISTRICT

For the reasons stated, it was moved by Mr. Smith, seconded by Mr. Grollman, and unanimously resolved that the following amendment to the Comprehensive Zoning Ordinance of Queen Anne's County be adopted.

BE IT ORDAINED, that all those two lots or parcels of land situate, lying and being in the Fourth Election District of Queen Anne's County, State of Maryland, as more particularly described by metes and bounds, as follows:

PARCEL NO. 1: BEGINNING for the same at a point in the centerline of Thompson Creek Road, said point being the southeast corner of the herein described lands and the northeast corner of the lands of Marie G. Patchett; and running, thence, by and with said Patchett lands N 82° 19' 50" W - 24.24' to a concrete monument, N 82° 19' 50" W - 93.53 to a concrete monument, and N 82° 19' 50" W - 7' more or less, to the mean high waters of Thompson Creek; thence, by and with the mean high waters of said creek the twelve following courses and distances:

- | | | | | | | | |
|-----|---|-----|-----|-----|---|---|---------|
| 1. | N | 10° | 30' | 30" | E | - | 40.53' |
| 2. | N | 42° | 04' | 40" | W | - | 144.17' |
| 3. | N | 18° | 38' | 30" | E | - | 76.89' |
| 4. | N | 03° | 56' | 00" | E | - | 138.87' |
| 5. | N | 09° | 49' | 50" | W | - | 119.31' |
| 6. | N | 35° | 09' | 30" | W | - | 142.05' |
| 7. | N | 57° | 14' | 50" | W | - | 141.88' |
| 8. | N | 17° | 50' | 40" | W | - | 47.88' |
| 9. | N | 62° | 41' | 10" | W | - | 81.10' |
| 10. | N | 30° | 07' | 00" | W | - | 180.12' |
| 11. | N | 02° | 09' | 20" | W | - | 132.03' |
| 12. | N | 20° | 47' | 00" | W | - | 123.47' |

to a new division line between the herein described lands and other lands of Ritchey Associates; thence, by and with said new division line S 81° 07' E - 884.65' to the centerline of the aforementioned Thompson Creek Road; thence, by and with the centerline of said road S 11° 00' W - 422.20', along an arc the chord of which is S 13° 32' 40" W - 249.75', and S 16° 05' 10" W - 392.86' to the place of beginning. Containing in all 11.904 acres of land, more or less.

PARCEL NO. 2: BEGINNING for the same at a point on the north side of an 11.904 acre parcel of Ritchey Associates lands cut out of a larger tract for the purpose of re-zoning, said point being N 81° 07' W - 528.85 from the northeast corner of said 11.904 acre tract; and running thence, by and with said tract N 81° 07' W - 355.80' to the mean high waters of Thompson Creek; thence, by and with said creek N 20° 47' W - 170.87' to a new division line between the herein described lands and other lands of Ritchey; thence, by and with said new division line S 80° 30' 50" E - 357.01' and S 21° 04' E - 167.00' to the place of beginning. Containing in all 1.196 acres of land, more or less.

Containing in the aggregate 13.1 acres be and the same are hereby rezoned R-4 Apartment District.

BE IT FURTHER ORDAINED, that this ordinance shall be effective as of the date hereof.

THE COUNTY COMMISSIONERS OF
QUEEN ANNE'S COUNTY

/s/William E. Coleman
William E. Coleman

/s/Leonard E. Smith
Leonard E. Smith

/s/Julius Grollman
Julius Grollman

Dated: May 13, 1969

ATTEST:

/s/ Lillian C. Callaway
Lillian C. Callaway, Clerk

IN THE MATTER OF THE PETITION OF OWEN A. TOWERS AND MAUGUERITE C. TOWERS, HIS WIFE, FOR A CHANGE IN THE CLASSIFICATION OF LAND IN THE THIRD ELECTION DISTRICT OF QUEEN ANNE'S COUNTY, FROM A-1 AGRICULTURAL DISTRICT AND B-2 GENERAL BUSINESS DISTRICT TO M-2 GENERAL INDUSTRIAL DISTRICT.

For the reasons stated it was moved by Mr. Smith, seconded by Mr. Grollman and unanimously resolved that the following Amendment to the Comprehensive Zoning Ordinance of Queen Anne's County be adopted.

BE IT ORDAINED, that all that lot or parcel of land, situate, lying and being, in the Third Election District of Queen Anne's County, State of Maryland, beginning for the same at a point on the easterly right-of-way line of U. S. Rte. 50, said point being the southwest corner of the herein described lands and the northwest corner of the lands of Holton Rhodes, and said point being, further, N 86° 45' E - 26.34' from a concrete monument near the headwall of a culvert passing under U. S. Rte. 50; and running, thence, by and with the easterly right-of-way of said road N 07° 36' 30" W - 17.36', S 82° 12' 30" W - 30.00', and along an arc the radius of which is 4613.66' and the chord of which is 11° 35' 40" W - 635.21' to a concrete monument and a new division line between the herein described lands and other lands of Towers; thence, by and with said new division line N 76° 33' 20" E - 700.00' to a concrete monument and S 13° 26' 40" E - 722.30' to the aforementioned Rhodes lands; thence, by and with said Rhodes lands S 78° 46' W - 406.18' and S 86° 45' W - 291.12' to the place of beginning. Containing in all 11.309 acres of land, more or less, as more fully set out and described by survey of the same made September 10, 1969, by William R. Nuttle, registered surveyor, re-zoned M-2 "General Industrial District."

BE IT FURTHER ORDAINED, that this Ordinance shall be effective as of the date hereof.

THE COUNTY COMMISSIONERS OF
QUEEN ANNE'S COUNTY

/s/ William E. Coleman
William E. Coleman

/s/ Leonard E. Smith
Leonard E. Smith

/s/ Julius Grollman
Julius Grollman

Dated: November 18, 1969

ATTEST:

/s/ Lillian C. Callaway
Lillian C. Callaway, Clerk

County Ordinance 45

IN THE MATTER OF THE PETITION OF WILLIAM C. THOMAS, AND ELIZABETH H. THOMAS, HIS WIFE, OWNERS, FOR A CHANGE IN THE CLASSIFICATION OF A TRACT OF LAND IN THE FOURTH ELECTION DISTRICT OF QUEEN ANNE'S COUNTY, FROM R-3 RESIDENTIAL DISTRICT TO B-2 GENERAL BUSINESS DISTRICT

For the reasons stated it was moved by Mr. Grollman, seconded by Mr. Smith and unanimously resolved that the following Amendment to the Comprehensive Zoning Ordinance of Queen Anne's County be adopted.

BE IT ORDAINED, that all that lot or parcel of land, situate, lying and being in the Fourth Election District of Queen Anne's County, State of Maryland, on the North side of Maryland Route 18 in the village of Stevensville, being a lot 187.50 feet by 200 feet adjoining the lands of the Kent Island Fire Company, Charles M. Clark and Elmer White, and was conveyed to the said William E. Thomas and Elizabeth H. Thomas, his wife, by John Owens Lane and Rose Thelma Lane, his wife, by deed dated February 24, 1967 and recorded among the Land Records of Queen Anne's County in Liber C. W. C. No. 27, folio 39, be re-zoned B-2 General Business.

BE IT FURTHER ORDAINED, that this Ordinance shall be effective as of the date hereof.

THE COUNTY COMMISSIONERS OF QUEEN ANNE'S COUNTY

/s/ William E. Coleman
William E. Coleman

/s/ Leonard E. Smith
Leonard E. Smith

/s/ Julius Grollman

Date: December 2, 1969

ATTEST:

/s/ Lillian C. Callaway
Lillian C. Callaway, Clerk

County Ordinance 46

IN THE MATTER OF THE RECOMMENDATION OF THE PLANNING AND ZONING COMMISSION FOR AN AMENDMENT TO THE TEXT OF THE COMPREHENSIVE ZONING ORDINANCE TO WIT: AMEND ARTICLE 17 TO ADD NEW SECTION 17.0511.

For the reasons stated, it was moved by Mr. Smith, seconded by Mr. Grollman, and unanimously resolved that the following amendment to the text of the Comprehensive Zoning Ordinance for Queen Anne's County be adopted.

BE IT ORDAINED, that Article 17 of the Comprehensive Zoning Ordinance be amended to add a new sub-section titled 17.0511 to read as follows:

17.0511 - recreational vehicles such as travel trailers, truck campers, tent campers and the like may be permitted by the Board of Clubs at clubs or facilities authorized under Section 6.218 and 8.201.

BE IT FURTHER ORDAINED, that this Ordinance shall be effective as of the date hereof.

THE COUNTY COMMISSIONERS OF QUEEN ANNE'S COUNTY

/s/William E. Coleman
William E. Coleman

/s/ Leonard E. Smith
Leonard E. Smith

/s/ Julius Grollman
Julius Grollman

Dated: March 24, 1970

ATTEST:

/s/ Lillian C. Callaway
Lillian C. Callaway, Clerk

County Ordinance 47

IN THE MATTER OF THE PETITION OF FRANCIS A. FISHER FOR A CHANGE IN THE CLASSIFICATION OF A TRACT OF LAND IN THE FIFTH ELECTION DISTRICT OF QUEEN ANNE'S COUNTY, MARYLAND, FROM A-2 AGRICULTURAL CONSERVATION DISTRICT TO R-5 RESIDENTIAL DISTRICT.

For the reasons stated it was moved by Mr. Grollman, seconded by Mr. Smith, and unanimously resolved that the following Amendment to the Comprehensive Zoning Ordinance of Queen Anne's County be adopted:

BE IT ORDAINED, that all that lot or parcel of land, situate, lying and being in the Fifth Election District of Queen Anne's County, State of Maryland, on the West side of the public road leading from Robinson's Church to Grasonville Cemetery and Maryland Route 13 and which is more particularly described by metes and bounds, courses and distances, according to a survey made for Francis A. Fisher, a widower, by Shew & Bartlett, April 28, 1969, being the same is hereby re-zoned from A-2 Agriculture-Conservation District to R-5 General Resident District.

BE IT FURTHER ORDAINED, that this Ordinance shall be effective as of the date hereof.

THE COUNTY COMMISSIONERS OF
QUEEN ANNE'S COUNTY

/s/ William E. Coleman
William E. Coleman

/s/ Leonard E. Smith
Leonard E. Smith

/s/ Julius Grollman
Julius Grollman

Dated: March 24, 1970

ATTEST:

/s/ Lillian E. Callaway
Lillian E. Callaway, Clerk

County Ordinance 48

IN THE MATTER OF THE PETITION OF EDWARD T. GIBSON, SR. AND BETTY M. GIBSON, HIS WIFE, AS OWNERS AND CONTRACT PURCHASERS, AND MARGARET T. MERRICK SCHABINGER AND CHARLES P. MERRICK, III, OWNERS FOR CHANGES IN CLASSIFICATIONS OF TRACTS OF LAND IN THE FIRST ELECTION DISTRICT OF QUEEN ANNE'S COUNTY FROM A-1 AGRICULTURAL DISTRICT AND R-2 SUBURBAN RESIDENCE DISTRICT TO B-2 GENERAL BUSINESS.

For the reasons stated, it was moved by Mr. Grollman, seconded by Mr. Smith, and unanimously resolved that the following Amendment to the Comprehensive Zoning Ordinance of Queen Anne's County be adopted.

BE IT ORDAINED, that the following two parcels of land to wit:

PARCEL NO. 1

ALL that lot, parcel, or tract of land situate, lying and being in or near Ingleside in the First Election District of Queen Anne's County, State of Maryland, and being more particularly described by metes and bound, courses and distances, according to a survey and plat made by J. B. Metcalfe in January, 1969, to wit:

BEGINNING at a point on the center line of Beaverdam Ditch, one hundred and fifty feet, more or less, southerly from the highway bridge on State Road Route No. 19 at Ingleside, and running:

1) Thence by and with the present lands of the Grantee the two following courses and distances:

S 85° 30' E - 230.30 feet, more or less to a point
S 02° 30' W - 25.10 feet to a stone that marks
the corner of the Grantor's hand lands

2) Thence by and with a division line herein established for the land intended to be conveyed:

S 02° 30' W - 676.00 more or less to a point on
the center line of Beaverdam Ditch.

NOTE: A stone is set on the bank of the said ditch 55.00 feet, more or less, from the end of the last mentioned line.

3) Thence by and with the center line of Beaverdam Ditch that is the division line of the Grantors' lands and those of Roger Wilson, the two following courses and distances:

N 20° 47' W - 214.70 feet to a point
N 13° 22' W - 530.00 feet to the point of
beginning and containing 2.00 acres of land, more or
less.

BEING the same and all of the land granted and conveyed

to Edward T. Gibson, Sr. et ux, by Edgard E. Walls, Sr. et al, by Deed dated April 9, 1969, recorded April 9, 1969 in Liber C, W.C. No. 40, folio 561, a Land Record Book for Queen Anne's County.

PARCEL NO. 2

ALL that lot or parcel of land situate, lying and being in or near the village of Ingle'side, bounded on the West and South by Maryland Route 19, Bounded on the East by Maryland Route 313, and bounded on the North by other lands of Margaret T. Merrick Schabinger and Charles P. Merrick, III, the same being a strip of land 100 feet wide North of the adjacent to the existing B-2 District, running from Maryland Route 19 to Maryland Route 313, a distance of approximately 600 feet.

BEING a part of the land granted and conveyed to Margaret T. Merrick Schabinger and Charles P. Merrick, III, by Rachel Collison, single woman, by Deed dated September 30, 1966, recorded October 6, 1966, in Liber C.W.C. No. 24, folio 658, a Land Record Book for Queen Anne's County.

Be and the same are hereby rezoned B-2 General Business District.

BE IT FURTHER ORDAINED, that this Ordinance shall be effective as of the date hereof.

THE COUNTY COMMISSIONERS OF
QUEEN ANNE'S COUNTY

/s/William E. Coleman
William E. Coleman

/s/Leonard E. Smith
Leonard E. Smith

/s/Julius Grollman
Julius Grollman

Dated: April 7, 1970

ATTEST:

/s/ Lillian C. Callaway
Lillian C. Callaway, Clerk

County Ordinance 49

IN THE MATTER OF THE RECOMMENDATION OF THE PLANNING AND ZONING COMMISSION FOR AN AMENDMENT TO THE TEXT OF THE COMPREHENSIVE ZONING ORDINANCE TO CREATE A NEW DISTRICT TITLED M-3 MARITIME DISTRICT AND TO INCLUDE THEREIN AN AREA OF LAND EAST OF AND IMMEDIATELY ADJACENT TO KENT NARROWS.

For the reasons stated it was moved by Mr. Smith, seconded by Mr. Grollman, and unanimously resolved that the following amendment to the text of the Comprehensive Zoning Ordinance for Queen Anne's County be adopted.

BE IT ORDAINED, that Article 16 A be added to the Comprehensive Zoning Ordinance to read as follows:

ARTICLE 16 A

"M-3" MARITIME DISTRICTS

16.A.00 The "M-3" Maritime District is intended to provide for satisfactory development of industries and enterprises which require or derive substantial benefit from locations on or near navigable waterfronts. The following uses shall be permitted, and the following regulations and the regulations contained in other Articles shall apply, in the "M-3" Maritime Districts.

16.A.10 PRINCIPLE PERMITTED USES--Subject to the Conditions in Section 16.A.40.

- 16.A.101 Agriculture
- 16.A.102 Automobile filling stations
- 16.A.103 Boat excursion rides
- 16.A.104 Boat fuel sales, open or enclosed
- 16.A.105 Boat rentals, open or enclosed
- 16.A.106 Business offices
- 16.A.107 Eating and drinking establishments
- 16.A.108 Facilities for the launching and/or removal to and from the water, including marine railways or hoists, or watercraft, restricted to craft not exceeding 200 feet in overall length.
- 16.A.109 Facilities for the construction, reconstruction, repair and/or painting of watercraft, restricted to craft not exceeding 200 feet in overall length.
- 16.A.110 Grocery stores
- 16.A.111 Laundries, hand or automatic self-service
- 16.A.112 Liquor stores
- 16.A.113 Marinas
- 16.A.114 Motels or hotels
- 16.A.115 Public utility uses
- 16.A.116 Refreshment stands
- 16.A.117 Sales of watercraft and marine engines of all types, as well as boat trailers, spare parts, sails, cordage, hull, deck, and interior fittings.
- 16.A.118 Sales of sporting goods, including hunting and fishing equipment.

16.A.119 Manufacture of products related to maritime uses, including the following:

Canvas or canvas products
Ice, dry or natural
Leather products
Wood products
Sails

16.A.120 Research and development activities
16.A.121 Seafood packing
16.A.122 Yacht Clubs
16.A.123 Any other use not specifically prohibited in "M-3" District which, in the opinion of the Board of Appeals, is of a similar character to those specified above.

16.A.20 CONDITIONAL USES, REQUIRING BOARD AUTHORIZATION

16.A.201 Commercial swimming pools
16.A.202 Arenas, auditoriums, or stadiums
16.A.203 Bowling alleys
16.A.204 Amusement parks
16.A.205 Golf driving ranges and miniature golf courses
16.A.206 Outdoor motion picture theatres
16.A.207 Trade expositions
16.A.208 Bakeries
16.A.209 Storage of inflammable liquids not to exceed 40,000 gallons, subject to the distance requirements of Section 5.19. See also Section 16.A.506.

16.A.30 ACCESSORY USES

16.A.301 Accessory uses and structures permitted and as regulated in the "B-1" District.
16.A.302 Piers, wharves, moorings, docks, or other facilities for the berthing and securing of watercraft, where these facilities are clearly accessory to the principle use of a lot.

16.A.40 PROHIBITED USES

16.A.401 Dwellings; provided, however, that a dwelling for a watchman or caretaker which is accessory to a principle use permitted in this District shall be permitted and shall not be subject to any of the limitations or other regulations prescribed for non-conforming uses elsewhere in this Ordinance.

16.A.50 REQUIRED CONDITIONS

16.A.501 Conditions as required in the "B-1" District
16.A.502 Approved water supply and sanitary sewage collection and disposal facilities shall be available and provided to each permitted use.

16.A.503 Off-street parking and loading spaces shall be provided as required in Section 17.02, except that parking required for a marina, yacht club, or boatyard may be provided on a separate parcel, under the same ownership as the parcel on which the marina, yacht club, or boatyard

is located, where the most distant portion of such separate parcel which is to be used for such parking purposes is not more than 1,000 feet from the nearest boat storage area.

16.A.504 Marinas and boatyards shall provide toilets, washrooms, showers, hot water, and other sanitary facilities in sufficient numbers to serve the berths provided. Such facilities shall be in permanent structures complying with all applicable ordinances and statutes regulating buildings, electrical installations, and plumbing and sanitation systems, and shall be located ashore not closer than twenty feet to any boat nor further than two hundred feet from any dock. It shall be the responsibility of every marina owner to see that toilet facilities on boats shall not be used when berthed but that instead, on-shore sanitary facilities shall be used by all boat owners and their guests. Marina owners shall meet this responsibility by causing all toilet facilities (marina heads) to be locked when berthed, by posting reminder signs at appropriate locations, by adopting these regulations into marina or club membership rules and regulations, and by imposing penalties on offenders.

16.A.505 No building permit will be issued and no building or use shall be established in an "M-3" District when such building or use requires accessory structures and/or off-street parking facilities except in conformity with a site development plan approved by the County Planning and Zoning Commission, and no Zoning Permit shall be issued until all of the requirements of this Article, including those required by the County Planning and Zoning Commission under the provisions of this Article, have been met. An application for a building permit requiring site plan approval shall include a map at an appropriate scale showing the location, proposed use, and height of all buildings, location of all parking, truck loading and boat launching areas with access and egress roads thereto, location of outdoor storage, if any, location of existing and proposed site improvements, and location and proposed development of buffer areas and landscaping, where required.

16.A.506 For any permitted use, accessory storage of inflammable liquids necessary to the operation of the principle use will be allowed provided that such storage shall not exceed 20,000 gallons, and that it shall be subject to the distance requirements of Section 5.19.

16.A.60 HEIGHT REGULATIONS--No structure shall exceed three (3) stories or fifty (50) feet in height, except as provided in Section 18.2.

16.A.70 LOT AREA AND WIDTH, YARB, AND FLOOR AREA REQUIREMENTS

	Min. Lot Area	Min. Lot Width	Front Yard Depth	Side Yard Width Each Side	Rear Yard Depth
Hotels, Motels 1 Acre	100 Ft.	100 Ft.	35 Ft.	20 Ft.	40 Ft.
Other Per. uses $\frac{1}{4}$ "	50 Ft.	50 Ft.	35 Ft.	None except adjoining and "R" District than 20 Ft.	20 Ft.

BE IT FURTHER ORDAINED that Article 3, Definitions be amended to a new section 3.30.A

3.30.A-- Marina: Any dock or basin providing secure moorings for watercraft except one which is an accessory use to a residential use and restricted to the occupants of the principle use and their guests for whom no admission or membership fees are charged.

BE IT FURTHER ORDAINED that Section 5.03, Non-Conforming Uses be amended to add at the end of Section 5.034:

"However, any single-family detached dwelling existing on an individual lot on date of enactment of this amendment in an "M-3" District may, if destroyed or damaged by fire, flood, explosion, war, riot, or Act of God, be replaced and used as before such happening.

BE IT FURTHER ORDAINED that Section 17.02, Off-Street Parking Areas, be amended by inserting after the requirement for manufacturing plants, the following:

"Marinas, Yacht Clubs, and Boat Repair Facilities-- one space for each two berths and/or moorings provided, plus one space for each 500 square feet of dry storage provided for watercraft under twenty-five feet in overall length."

BE IT FURTHER ORDAINED that all that lot or parcel of land situate lying and being in the Fifth Election District of Queen Anne's County, Maryland, on the east side of Kent Narrows and extending from the Waters of Kent Narrows eastward on the north side of U. S. Route 50-301 to the lands of (but not including) Kent Narrows Associates, Inc. being designated on tax map No. 58 as Parcel 511, and also that land extending from the waters of the Kent Narrows eastward on the south side of U. S. Route 50-301 to a line beginning at a point on the south side of U. S. Route 50-301 where the south side of said road intersects with the western boundary line of Parcel No. 80 as shown on tax map No. 58 and running thence in a southerly direction by and with the western boundary line of Parcel No. 80 to a point where said line intersects with Parcel No. 79; thence by and with the southern boundary line of Parcel No. 80 in an easterly direction to the point where the same intersects with the

western boundary line of Parcel No. 82; thence in a southerly direction by and with the western boundary line of Parcel No. 82 to the point where the same intersects with Marshy Creek.

Be and the same are hereby re-zoned as "M-3" Maritime District.

BE IT FURTHER ORDAINED that this Ordinance shall be effective as of the date hereof.

THE COUNTY COMMISSIONERS
OF QUEEN ANNE'S COUNTY

/s/William E. Coleman
William E. Coleman

/s/Leonard E. Smith
Leonard E. Smith

/s/Julius Grollman
Julius Grollman

Dated: June 16, 1970

ATTEST:

/s/ Lillian C. Callaway
Lillian C. Callaway, Clerk

County Ordinance No. 50

IN THE MATTER OF THE PETITION OF JOSEPH W. RHYANES AND JAMES R. FRIEL, S.W.E. FRIEL, JR., AND JAMES R. FRIEL, JR., TRADING AS FRIEL LUMBER COMPANY, FOR A CHANGE IN CLASSIFICATION OF THREE TRACTS OF LAND IN THE FIFTH ELECTION DISTRICT FROM "A-1" AGRICULTURAL, TO "R-5" GENERAL RESIDENCE DISTRICT

For the reasons stated, it was moved by Mr. Grollman, seconded by Mr. Smith, and unanimously resolved that the following amendment to the comprehensive zoning ordinance of Queen Anne's County be adopted:

BE IT ORDAINED, that all those parcels of land in the Fifth Election District of Queen Anne's County, State of Maryland, in the area known as "Scottown" being the parcels of land on the west side of Scottown Lane extending from U.S. Route 50 northerly to the lands of Marion R. Leaverton and all those parcels on the east and west side of the public road known as Rhyanes Lane and any extension thereof, said road extending from U. S. Route 50 northerly to the lands of Marion R. Leaverton, and further bounded on the west by lands of Marion R. Leaverton, be and the same are hereby rezoned from "A-1" Agriculture District, to "R-3" Urban Residence District.

BE IT FURTHER ORDAINED, that this ordinance shall be effective as of the date hereof.

THE COUNTY COMMISSIONERS
OF QUEEN ANNE'S COUNTY

/s/William E. Coleman
William E. Coleman
/s/Leonard E. Smith
Leonard E. Smith
/s/ Julius Grollman
Julius Grollman

Dated: July 7, 1970

ATTEST:
/s/ Lillian C. Callaway
Lillian C. Callaway, Clerk

County Ordinance No. 51

IN THE MATTER OF THE PETITION OF KNET ISLAND LIMITED PARTNERSHIP FOR A CHANGE IN THE ZONING CLASSIFICATION OF TWO TRACTS OF LAND LOCATED IN THE FOURTH ELECTION DISTRICT OF QUEEN ANNE'S COUNTY, MARYLAND, FROM "A-1" AGRICULTURAL DISTRICT, "R-4" APARTMENT DISTRICT, AND "M-1" INDUSTRIAL PARK DISTRICT, TO "B-2" GENERAL BUSINESS DISTRICTS.

For the reasons stated, it was moved by Mr. Smith and seconded by Mr. Grollman and unanimously resolved that the following amendment to the Comprehensive Zoning Ordinance for Queen Anne's County be adopted:

BE IT ORDAINED, that the parcel of land on Kent Island in the Fourth Election district of Queen Anne's County, State of Maryland, designated as "Parcel 3 45.12AC." on Petitioner's Exhibit No. 1 and described by metes and bounds in Petitioners Exhibit No. 2 as containing 45.1194 acres of land is hereby rezoned from "A-2" Agricultural--Conservation District and "R-4" Apartment District to "M-3" Maritime District.

BE IT FURTHER ORDAINED, that this ordinance shall be effective as of the date hereof.

THE COUNTY COMMISSIONERS
OF QUEEN ANNE'S COUNTY

/s/ William E. Coleman
William E. Coleman
/s/ Leonard E. Smith
Leonard E. Smith
/s/ Julius Grollman
Julius Grollman

Dated: August 4, 1970

ATTEST:
/s/ Lillian C. Callaway
Lillian C. Callaway, Clerk

EX PARTE IN THE MATTER OF THE PETITION OF CHARLES L. CRANFILL AND MEDRA CRANFILL, HIS WIFE, FOR A CHANGE IN THE CLASSIFICATION OF A TRACT OF LAND LOCATED IN THE SEVENTH ELECTION DISTRICT OF QUEEN ANNE'S COUNTY, MARYLAND.

For the reasons stated it was moved by Mr. Smith, seconded by Mr. Grollman, and unanimously resolved that the following amendment to the Comprehensive Zoning Ordinance of Queen Anne's County be adopted.

BE IT ORDAINED, THAT THE FOLLOWING parcel of land, to wit: All that lot or parcel of land istuate, lying and being in the Seventh Election District of Queen Anne's County near Deep Landing, consisting of Lots 1-36 and 49-68 on a farm known and designated as "Ducks Neck Subdivision" recorded in Liber C.W.C. No. 5, folio 43, a Land Record Book for Queen Anne's County, Maryland.

Be and the same is hereby rezoned from "R-2" to "R-5".

BE IT FURTHER ORDAINED, that this Ordinance shall be effective as of the date hereof.

THE COUNTY COMMISSIONERS OF
QUEEN ANNE'S COUNTY

/s/William E. Coleman

William E. Coleman

/s/Leonard E. Smith

Leonard E. Smith

/s/ Julius Grollman

Julius Grollman

Dated: August 4, 1970

ATTEST:

/s/Lillian C. Callaway

Lillian C. Callaway, Clerk

County Ordinance No. 53

IN THE MATTER OF THE RECOMMENDATION OF THE PLANNING COMMISSION FOR AN AMENDMENT TO THE TEXT OF THE COMPREHENSIVE ZONING ORDINANCE TO ADD NEW SECTIONS 17.14, 17.141 and 17.142 REGARDING AIRPORTS.

For the reasons stated, it was moved by Mr. Ashley, seconded by Mr. Grollman, and unanimously resolved that the following amendment to the Comprehensive Zoning Ordinance for Queen Anne's County be adopted.

BE IT ORDAINED, that Article 17 of the Comprehensive Zoning Ordinance be amended by adding new sections 17.14, 17.141 and 17.142 to read as follows:

17.14 - Airports

In any district an airport, airfield, landing strip, seaplane base or any similarly designed area for the landing or taking off of aircraft, either as a principal use or accessory use, shall be a conditional use and subject to approval of the Board of Appeals, provided that:

a. The area shall be sufficient to meet the Maryland State Aviation Commission and applicable Federal requirements for the class of airport proposed.

b. No application for a commercial airport shall be considered, unless it is accompanied by a plan, drawn to scale, showing the proposed location of the airport, boundary lines, dimensions, names of owners of abutting properties, proposed layout of runways, landing strips or areas, taxi strips, aprons, roads, parking areas, hangars, buildings, and other structures and facilities; the location and height of all buildings, structures, trees and overhead wires falling within the airport approach zones and less than five hundred (500) feet distant from the boundary line of the airport. Other pertinent data such as topograph and the grading plan, drainage, water and sewage, etc. may be required if deemed necessary by the Board of Appeals.

c. No application for a private, non-commercial, airport shall be considered unless it is accompanied by a plan showing the proposed location of the airport, boundary lines, dimensions, names of owners of abutting properties, proposed layout of runways, landing strips or areas, taxi strips, aprons, roads, parking areas, hangars, buildings and other structures and facilities; the location and height of all buildings, structures, trees and overhead wires falling within the airport approach zones and less than two (200) feet distant from the boundary line of the airport.

17.141

Every existing airport, airfield, landing strip, seaplane base or any similarly designed area for the landing and taking off of aircraft whether the same be private, commercial or non-commercial existing as of the date of enactment of this amendment shall be deemed a conditional use as of that date but the same shall not be extended or enlarged except by complying with the procedures set forth in Section 17.14. Provided further, however, that any existing commercial airport shall comply with that portion of Section 17.14 which requires a plan drawn to scale: said plan to be provided to both the Board of Appeals and the Planning Commission within six (6) months of the date of enactment of this amendment.

17.142

The enactment of Section 17.14, 17.141 and this Section shall supersede all other regulations regarding airports, airfields, landing strips, and the like set forth in this Ordinance whether as an accessory or principal use.

BE IT FURTHER ORDAINED, that this Ordinance shall be effective as of the date hereof.

THE COUNTY COMMISSIONERS OF
QUEEN ANNE'S COUNTY

/s/ Leonard E. Smith

Leonard E. Smith
/S/ Julius Grollman

Julius Grollman
/s/ John M. Ashley, Jr.

John M. Ashley, Jr.

Dated: June 22, 1971

ATTEST:

/s/ Lillian C. Callaway

Lillian C. Callaway, Clerk

County Ordinance No. 54

Upon motion made by Mr. Ashley, seconded by Mr. Smith, and unanimously approved, the following ordinance was adopted:

BE IT ORDAINED: Inasmuch as large areas of the State have been subjected to poor development practices causing excessive erosion and deposition of sediment, the General Assembly has seen fit to enact Chapter 245 of the Acts of 1970, Queen Anne's County having relatively flat terrain and relatively sparse development has had little trouble with these problems in the past. However, the future might not be some kind. It is the intent of this Ordinance to protect the people of the County from the deleterious effects of erosion and sedimentation without causing undue hardship or delay.

I. Scope

A. This ordinance is applicable to the activities of private persons, partnerships, corporations and county agencies.

B. The provisions of this ordinance are in addition to and in no way replace the requirements of existing laws and regulations, especially those requirements in sections 105 and 110 of Article 96A of the Annotated Code of Maryland.

C. The provisions of this ordinance shall not apply to agricultural land management practices, the construction of agricultural structures or to the construction of single-family residences and/or their accessory buildings on lots of two acres or more.

D. All other activities which involve disturbance of earth are covered by the provisions of this ordinance.

II. Definitions

The words and phrases as used in this Ordinance shall have the following meanings:

1. Erosion-the process by which the ground surface is worn away by the action of wind and/or water.
2. Floodplain-that area, which would be inundated by accumulated storm water run-off from a rainfall of fifty year frequency in a totally developed watershed, plus an additional one foot water elevation, and within which no development may take place, unless consistent with this Ordinance.

3. Grading-any stripping, excavating, fill (including hydraulic fill), stockpiling or other movement or disposition of earth materials or any combination thereof, and shall include the land in its excavated or filled condition.
4. Grading permit-written authorization to proceed with provisions of this Ordinance.
5. Permittee-any applicant to who a permit is issued pursuant to this Ordinance.
6. Sediment-soils or surficial materials transported or deposited by wind or surface water was a product or result of erosion.
7. Watercourse-any natural or constructed waterway in which water flows in a more or less definite directions or course, either continuously or intermittently; and including the floodplain as herein defined.

III. General Requirement

- A. Before land is cleared, graded, transported or otherwise disturbed for purposes including, but not limited to, construction of buildings, mining of minerals (including the extraction of sand and gravel), the development of golf courses, the installation of utilities, or the constructions of roads and streets, or county grading permits issued for such activities the proposed earth change shall be submitted to and approved by the Sediment Control Administrator according to the standards and procedures established by the Queen Anne's County Soil Conservation District. These activities shall be carried out in accordance with the written recommendations of said Soil Conservation District.
- B. The Queen Anne's SCD shall adopt such standards and procedures for erosion and sediment control. In considering plans for earth changes, the Soil Conservation District will be guided by the Soil Conservation Service handbook, "Standards and Specifications for Soil Erosion and Sediment Control in Urbanizing Areas" and such other authorities as may become available.

IV. Permit Requirements

- A. A County grading permit is required prior to initiation of any of the activities cited in III A above.

- B. Application forms for grading permits shall be issued through the office of the Queen Anne's County Planning Commission. The form, when completed, shall provide sufficient information to identify the applicant, the place and nature of the work to be done, and the steps and procedures to be taken to control erosion and sedimentation. Where developments are involved (commercial, industrial, or residential), or at the option of the county, the developer shall include in the application a grading and an erosion and sediment control plan designed by a professional engineer, land surveyor, landscape architect, or architect registered in the State of Maryland, and a certificate that all land clearing, construction, and development will be done pursuant to the said plan.
- C. Regardless of planning, zoning, or subdivisions controls, no county official shall issue a permit for grading or for the construction of any building, other than those matters exempted in I C, unless such grading or construction is in accord with erosion and sediment control plans as approved by the Queen Anne's Soil Conservation District.
- D. Should the initiation of activities described in III A, Above, not commence within one year of the date of issuance of the permit, the permit shall automatically expire. Should the activities commence within one year of the date of the issuance of the permit, the permit shall continue to be valid for one year from the date of commencement and must be renewed annually on the anniversary of the commencement date if such activities are to continue.
- E. When deemed necessary by the County Commissioners of Queen Anne's County, the permittee shall be required, prior to the issuance of a grading permit, to post with the county a cash deposit, performance bond from an approved corporate surety, or other collateral acceptable to the county. The amount posted shall be sufficient to guarantee that in the event provisions of the permit are not completed satisfactorily, or that the permit is cancelled, the site can be restored to a condition meeting the minimum requirements of the standards for erosion and sediment control.
- V.
- A. The responsibility for technical assistance for sediment control lies with the Queen Anne's Soil Conservation District.
- B. The position of Sediment Control Administrator is hereby created for overall administration of the sediment control program and designated to be under the direction of an office of Queen Anne's

County as determined by the County Commissioners of Queen Anne's County. The Administrator shall coordinate closely with the County Roads Board and the Queen Anne's County Planning Commission.

VI. Inspection and Enforcement

- A. The Sediment Control Administrator shall provide on-site inspection prior to the start of grading or construction and periodically during such activity. The administrator shall insure that all work is being performed according to the approved grading permit and erosion and sediment control plan and upon completion of the work shall make a final inspection and forward a copy of the final report to the Queen Anne's Soil Conservation District.
- B. In the case of continuing operations such as gravel pits, inspections shall be made by the Administrator not less than every six months.
- C. If at any time during grading or construction should the sediment control Administrator notice deviations from the grading permit, the approved erosion and sediment control plans or the intent of this ordinance, he shall have the right to stop work and order compliance.
- D. Any private person, partnership, corporation, or officer of County Government who disturbs earth or commences any activity cited in III A, above in violation of this ordinance shall be subject to a fine not exceeding five thousand dollars or on year's imprisonment for each and every violation. Any agency whos approval is required under this ordinance or any persons in interest may seek an injunction against any person, partnership, or corporation, whether public or private, violating or threatening violation of this ordinance.
- E. Notice of violation shall be filed with the State Department of Natural Resources and with the Soil Conservation District.

VII. Existing Activities and Structures

- A. Where existing or in-process grading, structures, roads, or streets, have been or are being installed using practices which are contrary to the intent of this ordinance and are causing excessive siltation or sedimentation, the County reserves the right to order immediate correction in accordance with a properly executed grading and sediment control plan.

- B. Long-term activities such as the construction of roads (public or private) the operation of gravel or borrow pits, mining, and the like must be conducted in accordance with a properly executed grading and sediment control plan. Approved plans must be on hand not later than six (6) months after the effective date of this ordinance.
- C. Construction of single-family residences actually underway on the effective date of this ordinance are generally exempt from the provisions of this ordinance.

VIII. Fees

A schedule of fees shall be adopted by the County Commissioners of Queen Anne's County by resolution and may be amended by resolution as deemed necessary.

IX. Effective Date

The effective date of this ordinance shall be thirty (30) days from the date of its adoption by the County Commissioners of Queen Anne's County.

THE COUNTY COMMISSIONERS OF
QUEEN ANNE'S COUNTY

/s/ Leonard E. Smith
Leonard E. Smith

Julius Grollman
/s/ John M. Ashley, Jr.
John M. Ashley, Jr.

Date: August 24, 1971

ATTEST:

/s/Lynda H. Palmatary
Lynda H. Palmatary, Acting Clerk

IN THE MATTER OF THE PETITION OF CARROLL J. FINKNER AND EVELYN G. FINKNER, HIS WIFE, FOR A CHANGE IN ZONING CLASSIFICATION OF TRACT OF LAND IN THE FOURTH ELECTION DISTRICT FROM R-3 URBAN RESIDENTIAL DISTRICT TO B-1 COMMUNITY BUSINESS DISTRICT.

For the reasons stated it was moved by Mr. Ashley and seconded by Mr. Smith and unanimously resolved that the following amendment to the Comprehensive Zoning Ordinance of Queen Anne's County be adopted.

BE IT ORDAINED, that parcels 146, 152, 153 and 154 on Tax Map No. 56 (Sectional Zoning Map No. 56) situate in the Town of Stevensville be and the same are hereby rezoned from R-3 Urban Residential to B-1 Community Business.

BE IT FURTHER ORDAINED, that this Ordinance shall be effective as of the date hereof.

THE COUNTY COMMISSIONERS
OF QUEEN ANNE'S COUNTY

/s/Leonard E. Smith
Leonard E. Smith
/s/John M. Ashley, Jr.
John M. Ashley, Jr.

Dated: October 5, 1971

ATTEST:

Julius Grollman

/s/ Lynda H. Palmatary
Lynda H. Palmatary, Acting Clerk

County Ordinance No. 56

IN THE MATTER OF:

THE PETITION OF CHESTER RIVER BOAT SALES, INC. FOR A CHANGE IN THE CLASSIFICATION OF A TRACT OF LAND IN THE SEVENTH ELECTION DISTRICT FROM A-1 AGRICULTURAL DISTRICT TO B-2 GENERAL BUSINESS DISTRICT AND R-2 SUBURBAN RESIDENTIAL DISTRICT

For the reasons stated it was moved Mr. Smith, seconded by Mr. Ashley and unanimously resolved that the following amendment to the Comprehensive Zoning Ordinance of Queen Anne's County be adopted.

BE IT ORDAINED, that all that parcel of land situate, lying and being in the Seventh Election District in the Apex formed by U. S. Route 301 and Chester River Heights Road beginning at the northwest corner of the present B-2 zone where the same intersects with the Chester River Heights Road and running thence in a northwesterly direction 500 feet more or less to a point; thence in a northwesterly direction 600 feet more or less to a point along the western right-of-way line of U. S. Route 301; thence in a southerly or southwesterly direction 550 feet more or less to a point where the same intersects the present B-2 zone; thence by and with the northerly boundary line of the present B-2 zone a distance of 250 feet more or less to the point of beginning.

Be and the same is hereby rezoned B-2 General Business District.

BE IT FURTHER ORDAINED, that the remaining property of the Petitioner lying north of the B-2 zone and generally bounded on the east by U. S. Route 301, on the north by Unicorn Branch and on the west by Chester River Heights Road and the Property of George Phillips.

Be and the same is hereby rezoned R-2 Suburban Residential District.

BE IT FURTHER ORDAINED, that this Ordinance shall be effective as of the date hereof.

THE COUNTY COMMISSIONERS OF
QUEEN ANNE'S COUNTY

/s/ Leonard E. Smith
Leonard E. Smith

Julius Grollman

/s/ John M. Ashley, Jr.
John M. Ashley, Jr.

Dated: November 2, 1971

ATTEST:

/s/ Lynda H. Palmatary
Lynda H. Palmatary, Acting Clerk

County Ordinance No. 57

IN THE MATTER OF:

THE RECOMMENDATION OF THE PLANNING COMMISSION FOR AN AMENDMENT TO THE TEXT OF THE COMPREHENSIVE ZONING ORDINANCE TO ADD NEW SECTION 18.33.

For the reasons stated it was moved by Mr. Ashley, seconded by Mr. Smith and unanimously resolved that the following amendment to the Comprehensive Zoning Ordinance for Queen Anne's County be adopted.

BE IT ORDAINED, that Article 18 be amended by adding a new section numbered 18.333 to read as follows:

The Planning Commission may reduce the minimum lot area and yard requirements in an R-4 District for the purpose of approving multi-family dwellings, commonly known as town houses, provided all lots have public or community water and sanitary sewer systems available.

BE IT FURTHER ORDAINED, that this Ordinance shall be effective as of the date hereof.

THE COUNTY COMMISSIONERS OF
QUEEN ANNE'S COUNTY

/s/Leonard E. Smith
Leonard E. Smith

Julius Grollman

/s/ John M. Ashley, Jr.

Dated: November 2, 1971

ATTEST:

/s/Lynda H. Palmatary
Lynda H. Palmatary, Acting Clerk

County Ordinance 58

IN THE MATTER OF THE RECOMMENDATION OF THE PLANNING COMMISSION FOR AN AMENDMENT TO THE TEXT OF THE COMPREHENSIVE ZONING ORDINANCE TO ADD A NEW SUB-SECTION 20.441 (e)

For the reasons stated it was moved by Mr. Ashley, seconded by Mr. Grollman and unanimously resolved that the following amendment to the Comprehensive Zoning Ordinance for Queen Anne's County be adopted:

BE IT ORDAINED, that Article 20 be amended by adding a new subsection to be entitled 20.441 (e) to read as follows:

20.441 (e)

"Accessory buildings, structures, and uses in the front, side or rear yards on lots abutting the water and exceeding one acre in size."

BE IT ORDAINED, that this Ordinance shall be effective as of the date hereof.

THE COUNTY COMMISSIONERS
OF QUEEN ANNE'S COUNTY

/s/Leonard E. Smith
Leonard E. Smith

/s/Julius Grollman
Julius Grollman

/s/John M. Ashley, Jr.
John M. Ashley, Jr.

DATED: May 23, 1972

ATTEST:

/s/ Lynda H. Palmatary
Lynda H. Palmatary, Acting Clerk

County Ordinance 59

IN THE MATTER OF THE RECOMMENDATION OF THE PLANNING COMMISSION FOR AN AMENDMENT TO THE TEXT OF THE COMPREHENSIVE ZONING ORDINANCE TO AMEND SECTION 7.103, 7.105, 6.217, 6.219, and 7.206.

For the reasons stated it was moved by Mr. Grollman, seconded by Mr. Ashley, and unanimously resolved that the following amendment to the Comprehensive Zoning Ordinance for Queen Anne's County be adopted:

BE IT ORDAINED, that the work "private" be eliminated from Section 7.103, the Section will then read:

Section 7.103-Public parks, landings, campgrounds, golf courses, hunting or fishing camps, game preserves, yacht clubs and the like, for the purpose of conserving and enjoying the natural resources.

BE IT FURTHER ORDAINED, that the words "trailers use as such" be eliminated from Section 7.105, this Section will then read as follows:

Section 7.105-Private summer cottages for seasonal use, which buildings need not abut upon a road.

BE IT FURTHER ORDAINED, that a new Section be added to Article 7 under Conditional Uses to be known as Section 7.206, which Section shall read as follows:

Section 7.206-Campgrounds and travel trailer parks for transient or seasonal use only, subject to the following restrictions:

- a. Minimum area to be fifty (50) acres).
- b. Each trailer or campsite shall be a minimum of 2400 square feet, have a minimum width of forty (40) feet and shall be clearly designated and marked.
- c. The sites together with any internal drives and entrances shall not occupy in the aggregate more than fifty percent (50%) of the gross area.
- d. Entrance roads and major roads providing traffic circulation to sites shall be a minimum width of thirty (30) feet and shall be adequately graded and compacted to provide drainage and be of a dust free material. Minor drives providing access to individual sites shall be a minimum of fifteen (15) feet in width.
- e. No retail business or merchandising other than that purely incidental and subordinate to the operation of the park and for the sole use of its occupants shall be permitted.
- f. No launching ramps, mooring or docking facilities for the use of water craft shall be permitted.
- g. No building, campsite or camp activity shall be conducted on the land within 125 feet from the right-of-way of the public road or within 100 feet of any other boundary of the tract, except the waterfront boundary.

h. A development plan shall be prepared and in addition to designating all sites, roads and structures it shall show major existing features such as wooded areas, beaches, marshland, and open spaces.

i. Board to Health approval as to water, sewerage, and other sanitary requirements shall accompany the application.

The provisions of this Section shall not apply to any campgrounds legally existing at the date of this amendment, either as presently improved or as to enlargement and/or expansion on the tract or parcel of land of record, nor shall any provisions of this Ordinance as to nonconforming uses to applicable to legally existing campgrounds in this District at the date of this amendment.

BE IT FURTHER ORDAINED, that Section 6.217 be eliminated in its entirety and a new Section 6.217 be added to read as follows;

Section 6.217-Campgrounds and travel trailer parks for transient or seasonal use only, subject to the following restrictions:

a. Minimum area to be fifty (50) acres.

b. Each trailer or campsite shall be a minimum of 2400 square feet, have a minimum width of forty (40) feet and shall be clearly designated and marked.

c. The sites together with any internal drives and entrances shall not occupy in the aggregate more than fifty percent (50%) of the gross areas.

d. Entrance roads and major roads providing traffic circulation to sites shall be a minimum width of thirty (30) feet and shall be adequately graded and compacted to provide drainage and be of a dust free material. Minor drives providing access to individual sites shall be a minimum of fifteen (15) feet in width.

e. No retail business or merchandising other than that purely incidental and subordinate to the operation of the park and for the sole use of its occupants shall be permitted.

g. No building, campsite or camp activity shall be conducted on the land within 125 feet from the right-of-way of the public road or within 100 feet of any boundary of the tract, except the waterfront boundary.

h. A development plan shall be prepared and in addition to designating all sites, roads and structures it shall show major existing features such as wooded areas, beaches, marshland and open spaces.

i. Board of Health approval as to water, sewerage, and other sanitary requirements shall accompany the application.

BE IT FURTHER ORDAINED, that a new Section be added under the heading of "A-1" Agricultural District" to be known as Section 6.219 to read as follows:

Section 6.219-Private buildings, structures and properties of a recreational, cultural, administrative or public service type, including appropriate commercial retail facilities accessory thereto.

BE IT FURTHER ORDAINED, that this Ordinance shall be effective as of the date hereof.

THE COUNTY COMMISSIONERS
OF QUEEN ANNE'S COUNTY

/s/Leonard E. Smith
Leonard E. Smith

/s/Julius Grollman
Julius Grollman

/s/John M. Ashley, Jr.
John M. Ashley, Jr.

DATED: June 20, 1972

ATTEST:

/s/Lynda H. Palmatary
Lynda H. Palmatary, Acting Clerk

County Ordinance No. 60

IN THE MATTER OF THE PETITION OF THE ROBINSONS AFRICAN METHODIST EPISCOPAL CHURCH FOR A CHANGE IN THE CLASSIFICATION OF A TRACT OF LAND LOCATED IN THE FIFTH ELECTION DISTRICT FROM "A-1" AGRICULTURAL DISTRICT TO "R-5" RESIDENTIAL DISTRICT

For the reasons stated it was moved by Mr. Grollman, seconded by Mr. Ashley and unanimously resolved that the following amendment to the Comprehensive Zoning Ordinance of Queen Anne's County be adopted:

BE IT ORDAINED, that all that parcel of land being one-half of that lot of land on the South side of the public road leading from Queenstown-Bennetts Point Road to Grasonville in the Fifth Election District of Queen Anne's County, Maryland, bounded on the north by said road, on the west by the land of William A. Brown and on the south and east by lands of Wye River Farms, Inc., having a frontage of 200 feet on said road and a depth of 220 feet which was granted to Catherine Ann Derickson by Roy Paul Whitby and wife by deed dated July 8, 1966, and recorded among the land Records of Queen Anne's County in Liber C.W.C. No. 22, Folio 651.

Be and the same is hereby rezoned "R-5" General Residence District.

BE IT FURTHER ORDAINED, that this Ordinance shall be effective as of the date hereof.

THE COUNTY COMMISSIONERS
OF QUEEN ANNE'S COUNTY

/s/ Leonard E. Smith, Pres.
Leonard E. Smith

/s/ Julius Grollman
Julius Grollman

/s/ John M. Ashley, Jr.
John M. Ashley, Jr.

DATED: August 15, 1972

ATTEST:::

Lynda H. Palmatary
Lynda H. Palmatary, Clerk

County Ordinance No. 61

IN THE MATTER OF THE PETITION OF CHAIRES BROS. EQUIPMENT, INC. FOR A CHANGE OF CLASSIFICATION OF APPROXIMATELY FOURTEEN (14) ACRES OF LAND IN THE SIXTH ELECTION DISTRICT OF QUEEN ANNE'S CLOUNTY, FROM "M-2" GENERAL INDUSTRIAL DISTRICT TO "B-2" GENERAL BUSINESS DISTRICT.

For the reasons stated it was moved by Mr. Ashley, seconded by Mr. Smith, and unanimously resolved that the following amendment to the Comprehensive Zoning Ordinance of Queen Anne's County be adopted:

BE IT ORDAINED, that all that parcel of land situate, lying and being in the Sixth Election District of Queen Anne's County, Maryland, bounded on the South By the Pennsylvania Railroad Company, on the West by County Line Road, on the North by Route 309, and on the East by the Queen Anne-Starr Road, and which is designated on the Tax Assessment Records of Queen Anne's County and the Queen Anne's County Zoning Maps as Parcel No. 67 of Block 21 on Map No. 69, containing approximately fourteen (14) acres.

Be and the same is hereby rezoned "B-2" General Business District.

BE IT FURTHER ORDAINED, that this Ordinance shall take effect as of the date hereof.

THE COUNTY COMMISSIONERS
OF QUEEN ANNE'S COUNTY

/s/Julius Grollman, Pres
Julius Grollman

/s/John M. Ashley, Jr.
John M. Ashley, Jr.

/s/Leonard E. Smith
Leonard E. Smith

DATED: April 3, 1973

ATTEST:

/s/Lynda H. Palmatary, Clerk
Lynda H. Palmatary, Clerk

County Ordinance No. 62

IN THE MATTER OF THE PETITION OF THOMAS E. PIERSON AND LORRAINE J. PIERSON, HIS WIFE, FOR A CHANGE IN THE CLASSIFICATION OF A TRACT OF LAND LOCATED IN THE FIFTH ELECTION DISTRICT FROM "R-5" GENERAL RESIDENCE DISTRICT TO B-2 GENERAL BUSINESS DISTRICT.

For the reasons stated it was moved by Mr. Smith, seconded by Mr. Grollman and unanimously resolved that the following amendment to the Comprehensive Zoning Ordinance of Queen Anne's County be adopted:

BE IT ORDAINED, that all that parcel of land situate lying and being in the Fifth Election District of Queen Anne's County, Maryland, on the West Side of Jackson Creek Road, bounded on the North by the property of Austin O'Donnel, on the West and South by property known as the Rod and Reel Motel, and on the East by Jackson Creek Road, containing approximately one-half ($\frac{1}{2}$) acre,

Be and the same is hereby rezoned "B-2" General Business District.

BE IT FURTHER ORDAINED, that this Ordinance shall take effect as of the date hereof.

THE COUNTY COMMISSIONERS
OF QUEEN ANNE'S COUNTY

/s/Julius Grollman
Julius Grollman

/s/John M. Ashley, Jr.
John M. Ashley, Jr.

/s/Leonard E. Smith
Leonard E. Smith

DATED: April 3, 1973

ATTEST:

/s/Lynda H. Palmatary
Lynda H. Palmatary, Clerk

County Ordinance No. 63

IN THE MATTER OF THE RECOMMENDATION OF THE PLANNING COMMISSION
FOR AN AMENDMENT TO THE TEXT OF ORDINANCE NO. 17, TTTLED
"SUBDIVISION REGULATIONS"

For the reasons stated it was moved by Mr. Smith,
seconded by Mr. Grollman, and unanimously resolved that the
following amendment to Ordinance No. 17 entitled "Subdivision
Regulations" Queen Anne's County be adopted:

BE IT ORDAINED:

1. That Section B of Article II, Defintions titled
"Subdiviions" be repealed and re-adopted as follows:

Article II, Definitions

B. "Subdivision" means any division of a lot,
tract or parcel of land or part thereof, as now owned or
hereafter acquired into two (2) or more lots or parcels,
any one of which contains less than 15 acres, and is for
immediate or future transfer of ownership of building
development.

2. That a new section be added to Article X, Required
improvements to be titled 1.A, Surface Drainage and to read,
as follows:

1.A- Surface Drainage plans for any subdivision
shall be approved by the County Roads Engineer.

BE IT FURTHER ORDAINED, that this Ordinance shall be
effective as of the date hereof.

THE COUNTY COMMISSIONERS
OF QUEEN ANNE'S COUNTY

/s/Julius Grollman
Julius Grollman

/s/John M. Ashley, Jr.
John M. Ashley, Jr.

/s/Leonard E. Smith
Leonard E. Smith

DATED June 12, 1973

ATTEST:

/s/Lynda H. Palmatary
Lynda H. Palmatary, Clerk

NO. 64

IN THE MATTER OF THE PETITION OF JAMES E. PATRICK AND BETTY PATRICK FOR A CHANGE IN THE ZONING CLASSIFICATION FOR ONCE ACRE OF LAND IN THE SECOND ELECTION DISTRICT FROM "A-1" TO "B-2"

For the reasons stated it was moved by Mr. Smith, seconded by Mr. Grollman, and unanimously resolved that the following amendment to the Comprehensive Zoning Ordinance of Queen Anne's County be adopted:

BE IT ORDAINED, that all that parcel of land situate lying and being in the Second Election District of Queen Anne's County, Maryland, on the North side of, but not immediately adjacent to U.S. Route 213 containing one acre of land and which is more particularly described by metes and bounds, courses and distances in a deed from Louisa d'a Carpenter to James E. Patrick and Betty Cornelia Patrick, his wife, by deed dated September 8, 1972, recorded September 11, 1972, in Liber C.W.C. No. 67, folio 55.

Be and the same is hereby rezoned "B-2" General Business District.

BE IT FURTHER ORDAINED, that this Ordinance shall take effect as of the date hereof.

THE COUNTY COMMISSIONERS
OF QUEEN ANNE'S COUNTY

/s/Julius Grollman
Julius Grollman

/s/John M. Ashley, Jr.
John M. Ashley, Jr.

/s/Leonard E. Smith
Leonard E. Smith

DATED: August 7, 1973

ATTEST:

/s/Lynda H. Palmatary
Lynda H. Palmatary, Clerk

NO. 65

IN THE MATTER OF THE PETITION OF ROBERT L. AARON AND M. LORRAINE AARON, HIS WIFE, FOR A CHANGE OF CLASSIFICATION OF A PARCEL OF LAND 65' c 165' IN THE FOURTH ELECTION DISTRICT OF QUEEN ANNE'S COUNTY, MARYLAND, FROM "R-3" TO "B-2"

For the reasons stated it was moved by Mr. Smith, seconded by Mr. Ashley, and unanimously resolved that the following amendment to the Comprehensive Zoning Ordinance of Queen Anne's County be adopted.

BE IT ORDAINED, that Parcels No. 116, 117, 118, and 119 on Tax Map No. 56 (said four parcels of land being located in the village of Stevensville, Fourth Election District of Queen Anne's County, State of Maryland).

Be and the same are hereby rezoned "B-2" General Business District.

BE IT FURTHER ORDAINED, that this Ordinance shall take effect as of the date hereof.

THE COUNTY COMMISSIONERS
OF QUEEN ANNE'S COUNTY

/s/Leonard E. Smith
Leonard E. Smith

/s/John M. Ashley, Jr.
John M. Ashley, Jr.

DATED August 7, 1973

ATTEST:

/s/Lynda H. Palmatary
Lynda H. Palmatary, Clerk

No. 66

IN THE MATTER OF THE RECOMMENDATION OF THE PLANNING COMMISSION FOR AN AMENDMENT TO THE TEXT OF THE COMPREHENSIVE ZONING ORDINANCE TO THE TEXT OF THE COMPREHENSIVE ZONING ORDINANCE TO ADD A NEW SECTION 17.14 THROUGH 17.142

For the reasons stated it was moved by Mr. Ashley, seconded by Mr. Smith and unanimously resolved that the following amendment to the Comprehensive Zoning Ordinance for Queen Anne's County be adopted.

BE IT ORDAINED, that Article 17 of the Comprehensive Zoning Ordinance be amended by adding new Sections 17.14, 17.141 and 17.142 to read as follows:

17.14 - Airports

In any district an airport, airfield, landing strip, seaplane base or any similarly designed area for the landing or taking off of aircraft, either as a principal use or accessory use, shall be a conditional use and subject to approval of the Board of Appeals, provided that:

a. The area shall be sufficient to meet the Maryland State Aviation Commission and applicable Federal requirements for the class of airport proposed.

b. No application for a commercial airport shall be considered unless it is accompanied by a plan, drawn to scale, showing the proposed location of the airport, boundary lines, dimensions, names of owners of abutting properties, proposed layout of runways, landing strips or areas, taxi strips, aprons, roads, parking areas, hangars, buildings and other structures and facilities, the location and height of all buildings, structures, trees and overhead wires falling within the airport approach zones and less than five hundred (500) feet distant from the boundary line of the airport. Other pertinent data such as topography and the grading plan, drainage, water and sewage, etc. may be required if deemed necessary by the Board of Appeals.

c. No application for a private, non-commercial airport shall be considered unless it is accompanied by a plan showing the proposed location of the airport, boundary lines, dimensions, names of owners of abutting properties, proposed layouts of runways, landing strips of areas, taxi strips, aprons, roads, parking areas, hangars, buildings and other structures and facilities; trees and overhead wires falling within the airport approach zones and less than two hundred (200) feet distant from the boundary lines of the airport.

17.141

Every existing airport, airfield, landing strip, seaplane base or any similarly designed areas for the landing and taking off of aircraft whether the same be private, commercial or non-commercial existing as of the date of enactment of this amendment shall be deemed a conditional use as of that date but the same shall not be extended or enlarged by complying with the procedures set forth in ~~Section 17.14, which requires a plan drawn to scale~~

Provided further, however, that any existing commercial airport shall comply with that portion of Section 17.14 which requires a plan drawn to scale; said plan to be provided to both the Board of Appeals and the Planning Commission within six (6) months of the date of enactment of this amendment.

17.142

The enactment of Section 17.14, 17.141 and this Section shall supersede all other regulations regarding airports, airfields, landing strips, and the like set forth in the Ordinance whether as an accessory or principal use.

BE IT FURTHER ORDAINED, that this Ordinance shall be effective as of the date hereof.

THE COUNTY COMMISSIONERS
OF QUEEN ANNE'S COUNTY

/s/Julius Grollman
Julius Grollman, President

/s/John M. Ashley, Jr.
John M. Ashley, Jr.

/s/Leonard E. Smith
Leonard E. Smith

DATED: Sept. 18, 1973

ATTEST:

/s/Lynda H. Palmatary
Lynda H. Palmatary, Clerk

COUNTY ORDINANCE NO. 67

IN THE MATTER OF THE PETITION OF R. RODNEY DENNY AND MATTIE W. DENNY, HIS WIFE, FOR A CHANGE IN THE CLASSIFICATION OF LAND IN THE THIRD ELECTION DISTRICT FROM "A-1", AGRICULTURAL DISTRICT, TO "B-2", GENERAL BUSINESS DISTRICT

For the reasons stated it was moved by Mr. Smith, seconded by Mr. Ashley and unanimously resolved that the following amendment to the Comprehensive Zoning Ordinance of Queen Anne's County be adopted:

BE IT ORDAINED, that all that parcel of land situate lying and being in the Third Election District of Queen Anne's County, Maryland, on the North side of Grange Hall Road and the East side of U.S. Route 213, bounded on the East by the lands of Nellie M. Price, on the North by the lands of the Town of Centreville, on the West by U.S. Route 213, and on the South by Grange Hall Road be and the same is hereby rezoned "B-2", General Business District.

BE IT FURTHER ORDAINED, that this ordinance shall take effect as of the date hereof.

THE COUNTY COMMISSIONERS
OF QUEEN ANNE'S COUNTY

/s/ Julius Grollman
Julius Grollman

/s/ John M. Ashley, Jr.
John M. Ashley, Jr.

/s/ Leonard E. Smith
Leonard E. Smith

DATED: April 9, 1974

ATTEST:

Lynda H. Palmatary
Lynda H. Palmatary, Clerk

COUNTY ORDINANCE NO. 69

IN THE MATTER OF THE PETITION OF BARCLAY H. BLOOMGARDEN AND DOROTHY L. BLOOMGARDEN, HIS WIFE, FOR A CHANGE IN THE CLASSIFICATION OF LAND IN THE SECONDELECTION DISTRICT OF QUEEN ANNE'S COUNTY FROM "A-1", AGRICULTURAL DISTRICT, TO B-2, GENERAL BUSINESS DISTRICT"

For the reasons stated it was moved by Mr. Ashley, seconded by Mr. Smith, and unanimously resolved that the following amendment to the Comprehensive Zoning Ordinance of Queen Anne's County be adopted.

BE IT ORDAINED, that all that parcel of land situate, lying and being in the Second Election District of Queen Anne's County, Maryland, on the North Side of and immediately adjacent to U.S. Route 213, beginning on the West side of Maryland Route 544 (being the property of Barclay H. Bloomgarden and Dorothy L. Bloomgarden) for a uniform depth of 600' North of U.S. Route 213 be and the same is hereby re-zoned "B-2", General Business District.

BE IT FURTHER ORDAINED, that this Ordinance shall take effect as of the date hereof.

THE COUNTY COMMISSIONERS
OF QUEEN ANNE'S COUNTY

/s/Julius Grollman
Julius Grollman

/s/John M. Ashley, Jr.
John M. Ashley, Jr.

/s/Leonard E. Smith
Leonard E. Smith

DATED: April 9, 1974

ATTEST:

Lynda H. Palmatary
Lynda H. Palmatary, Clerk

COUNTY ORDINANCE NO. 69

AN ORDINANCE ESTABLISHING A PLANNING COMMISSION FOR QUEEN ANNE'S COUNTY, PROVIDING FOR MEMBERSHIP, AND DEFINING THE POWERS AND DUTIES OF SUCH COMMISSION.

WHEREAS, it is the intention of the County Commissioners of Queen Anne's County to adopt a Comprehensive Plan which shall serve as a guide to public and private actions and decisions to insure the development of public and private property in appropriate relationships; a reasonable zoning ordinance for the purpose of promoting health, safety, morals, and the general welfare of the community; and regulations governing the subdivision of land within Queen Anne's County under the authority of Article 66B of the Annotated Code of Maryland (1957 Edition, as amended), and for that purpose to create and appoint a Planning Commission pursuant to the provisions of said law:

THEREFORE, BE IT ENACTED AND ORDAINED AS FOLLOWS, by the County Commissioners of Queen Anne's County:

Section 1. Commission Created. There is hereby created a Planning Commission, to be known as the Queen Anne's County Planning Commission, hereinafter referred to as the "Commission"

Section 2. Membership. The Commission shall consist of seven (7) members appointed by the County Commissioners. One member shall be a County Commissioner, to serve in an ex-officio capacity. Members of the Commission shall serve without compensation.

Section 3. Term of Office. The Ex-officio member shall serve for the term of his elective office. Of the six (6) members initially appointed, two shall serve for a period of one (1) year, one for two (2) years, one for three (3) years, one for four (4) years, and one for five (5) years. Thereafter, each appointed member shall serve for a period of five (5) years or until his successor takes office. Each appointed member is eligible for reappointment. Vacancies occurring otherwise than by expiration of term shall be filled by appointment by the County Commissioners.

Section 4. Removal. Members may, after a duly advertised public hearing, be removed from the Commission by the County Commissioners for inefficiency, neglect of duty, or malfeasance in office. The Commission shall incorporate into its official minutes the written statement of reasons for such removal filed by the County Commissioners and shall transmit a true and correct copy of such statement to the member so removed.

Section 5. Organization; Meetings; Rules; Records. The Commission shall elect a chairman from one of the appointed members and create and fill such other of its offices as it may determine. The term of chairman shall hold at least one regular meeting each month. It shall adopt rules for the transaction of business and shall keep a record of its resolutions, transactions, findings, and determinations, which record shall be a public record.

Section 6. Staff; Consultants; Expenditures. The Commission may appoint such employees as it may deem necessary for its work, and may also contract with planners, engineers, architects, and other consultants for such services as it may require. The expenditures of the Commission, exclusive of gifts, shall be under the conditions

established by, and within the amounts appropriated for the purpose by, the County Commissioners of Queen Anne's County.

Section 7. General Powers and Duties. The Commission shall have the powers and duties as now or hereafter provided in Article 66B, of the Annotated Code of Maryland (1957 Edition, as amended) and the Ordinances of Queen Anne's County.

Section 8. Severability. Should any section of this ordinance, or any part of a section or provision of this ordinance be declared invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of any other section, part of a section or provision of this ordinance, or the ordinance as a whole other than the part so declared to be invalid or unconstitutional.

Section 9. Effective Date. This ordinance shall take effect from the time of its passage on this third day of December, 1974.

THE COUNTY COMMISSIONERS
OF QUEEN ANNE'S COUNTY

/s/John M. Ashley, Jr.
John M. Ashley, Jr.

/s/Julius Grollman
Julius Grollman

/s/Leonard E. Smith
Leonard E. Smith

DATED: December 3, 1974

ATTEST:

/s/Lynda H. Palmatary
Lynda H. Palmatary, Clerk

QUEEN ANNE'S COUNTY PLANNING COMMISSION
Effective January 1, 1975

1.	Julius Grollman	ex-officio	(elective term)
2.	Katherine Burkett	appointed	One (1) year
3.	Samuel W. Marcus	appointed	One (1) year
4.	Edward M. DeMaso	appointed	Two (2) years
5.	James Edwards	appointed	Three (3) years)
6.	Walter Schmidt	appointed	Four (4) years
7.	William E. Thompson	appointed	Five (5) years

See page 77

COUNTY ORDINANCE 71

IN THE MATTER OF THE PETITION OF S.E.W. FRIEL, A PARTNERSHIP, AND FRIEL LUMBER COMPANY, A PARTNERSHIP, FOR A CHANGE IN CLASSIFICATION OF LAND IN THE THIRD ELECTION DISTRICT OF QUEEN ANNE'S COUNTY FROM A-1 AGRICULTURAL DISTRICT, TO R-5 GENERAL RESIDENTIAL DISTRICT.

For the above reasons, it was moved by Mr. Smith, seconded by Mr. Grollman and unanimously resolved that the following amendment to the Comprehensive Zoning Ordinance of Queen Anne's County be adopted.

BE IT ORDAINED, that all that parcel of land situate, in the Third Election District of Queen Anne's County, Maryland, situate off the Brownsville Road, containing 12 acres, of land, more or less, and being the remainder of Parcel No. 107, Block 20, Map 35 of the Tax Assessment Maps, titled to Carroll M. Stanford, and now zoned A-1, Agricultural District, shall be and the same is hereby reclassified to the R-5 General Residence classification.

BE IT FURTHER ORDERED, that this Ordinance shall take effect as of the date hereof.

THE COUNTY COMMISSIONERS
OF QUEEN ANNE'S COUNTY

/s/ John M. Ashley, Jr.
John M. Ashley, Jr.

/s/ Julius Grollman
Julius Grollman

/s/ Leonard E. Smith
Leonard E. Smith

DATED: _____

ATTEST:

Lynda H. Palmatary
Lynda H. Palmatary, Clerk

COUNTY ORDINANCE 72.

IN THE MATTER OF THE WILLIAM O. BURKE FOR A CHANGE IN CLASSIFICATION OF LAND IN THE FIFTH ELECTION DISTRICT OF QUEEN ANNE'S COUNTY FROM R-5 GENERAL RESIDENCE TO B-1 COMMUNITY BUSINESS.

A hearing was held by the County Commissioners of Queen Anne's County on the above Petition, on February 17, 1976, at the Court House Centreville.

The advertising of the hearing and posting of the property were submitted in the record without objection.

The recommendation of the Planning Commission was read and incorporated in the record.

Testimony and evidence was submitted on behalf of the Petitioner.

The County Commissioners made the following findings of fact:

That the proposed reclassification from the present R-5, General Residence to the requested B-1, Community Business will not adversely affect the general comprehensive plan for the area, affect any population projection, transportation pattern or public facilities available in the area, that the Planning Commission's adverse recommendation was not the merit of the reclassification request but to the timing of it.

The Commission further finds the fact that there has been a substantial change in the character of the neighborhood where the property is located since the adoption of the existing zoning.

From the above finding it was moved by Mr. Smith and seconded by Mr. Grollman and unanimously adopted that the reclassification from R-5 General Residence to B-1 Community Business be granted, and that;

This matter under provisions of Article 21.23 of the Comprehensive Zoning Ordinance be resubmitted to the Planning Commission for its further recommendation.

THE COUNTY COMMISSIONERS
OF QUEEN ANNE'S COUNTY

/s/ John M. Ashley, Jr.
John M. Ashley, Jr.

/s/ Julius Grollman
Julius Grollman

/s/ Leonard E. Smith
Leonard E. Smith

DATED: _____

ATTEST:

Lynda H. Palmatary
Lynda H. Palmatary, Clerk

COUNTY ORDINANCE 73

IN THE MATTER OF THE PETITION OF THE PLANNING COMMISSION FOR A CHANGE IN CLASSIFICATION OF LAND IN THE FOURTH ELECTION DISTRICT OF QUEEN ANNE'S COUNTY FROM A-1 AGRICULTURAL DISTRICT, TO R-5 RESIDENTIAL.

Upon motion of Mr. Smith, seconded by Mr. Grollman, it was passed for the reasons herein stated that the area known as "Newtown: as set forth in the recommendation and containing approximately 18.5 acres be reclassified from its A-1 agricultural zoning to R-5 residential zoning.

BE IT ORDAINED, that this Ordinance shall be effective as of the date hereof.

THE COUNTY COMMISSIONERS
OF QUEEN ANNE'S COUNTY

/s/ Julius Grollman
Julius Grollman

/s/ Leonard Smith
Leonard Smith

DATED: September 7, 1976

ATTEST:

/s/ Lynda H. Palmatary
Lynda H. Palmatary, Clerk

COUNTY ORDINANCE 74

IN THE MATTER OF THE PETITION OF EDWARD GIBSON FOR THE RE-CLASSIFICATION OF LAND IN THE SIXTH DISTRICT OF QUEEN ANNE'S COUNTY FROM A-1 AGRICULTURAL TO B-2 BUSINESS.

Upon motion of Mr. Smith, seconded by Mr. Ashley, it was unanimously resolved that the following Amendment to the Comprehensive Zoning Ordinance be adopted.

BE IT ORDAINED, that the following parcel of land, to wit:

ALL that lot or parcel of land in the Sixth Election District of Queen Anne's County, State of Maryland, being a part of "The Rosa L. Palmatary Farm" on the West side of Maryland Route No. 313, containing 12 acres of land, more or less, bounded by the lands of Higgs and Eck and State Route 313 and being a part of Parcel No 40, County Tax Map No 31, Block 24.

Shall be and the same is hereby re-classified from the A-1 Agriculture District to the B-2 General Business District.

BE IT FURTHER ORDAINED, that this Ordinance shall be effective as of this date.

THE COUNTY COMMISSIONERS
OF QUEEN ANNE'S COUNTY

/s/ John M. Ashley, Jr.
John M. Ashley, Jr., Pres.

/s/ Leonard E. Smith
Leonard E. Smith

DATED: November 9, 1976

ATTEST:

/s/ George W. Aldridge, Jr.
George W. Aldridge, Jr.,
Administrator

COUNTY ORDINANCE 75

REGULATION OF MINOR WASTEWATER DISPOSAL SYSTEMS, QUEEN ANNE'S
COUNTY (see attached)

See page 91

COUNTY ORDINANCE NO.. 76

ORDINANCE, SOLID WASTE COLLECTION AND STORAGE, QUEEN ANNE'S
COUNTY. (SEE ATTACHED)

COUNTY ORDINANCE NO. 77

REGISTRATION OF REFUSE COLLECTORS (SEE ATTACHED)

COUNTY ORDINANCE NO. 78

QUEEN ANNE'S COUNTY ANIMAL CONTROL ORDINANCE (SEE ATTACHED)

The County Commissioners of Queen Anne's County adopted the following Resolution concerning the State Surface Mining Law for the control of borrow pits, sand and gravel pits, and the stripping of soil within the boundaries of Queen Anne's County by a County government agency effective immediately.

BE IT RESOLVED, the regulations herein are applicable to all surface mining operations by any Queen Anne's County governmental agency on property owned by Queen Anne's County or on privately owned property provided the county agency is the only party engaged in surface mining operation.

A. The provisions of this resolution shall apply only to mining operations required for the construction and maintenance of public roads.

B. The site selection of a surface mining operation shall not violate any Federal, State or County laws or ordinances.

C. Before the extraction of borrow material (sand, gravel, etc.) the proposed earth change shall be submitted to and approved by the Sediment Control Administrator according to the standards and procedures established by the Queen Anne's County Soil Conservation District. These activities shall be carried out in accordance with the written recommendations of said Soil Conservation District.

D. A site plan and erosion and sediment control plan shall be prepared to include, but not limited, to the following:

1. Sediment control notes must show the sequence of establishment of all sediment control measures needed to provide site protection throughout all phases of pit operations until reclamation is complete.

2. The method of removal of extracted material in stages so that reclamation can immediately follow the completion of a portion of the site.

3. Topography to include contours, water courses, (both wet and dry), woodland, roads, property lines, adjacent buildings, etc.

4. Methods of stabilization for all disturbed areas.

5. A satisfactory restoration of the land to safe and usable condition, by either regrading on a four-to-one (4:1) slope, draining, replanting or other suitable treatment at the completion of the extraction operation.

6. The removal and stockpiling of top soil and the spreading of same at the completion of the extraction operation.

7. Shall be approved by the Queen Anne's County Soil Conservation Service.

E. The Sediment Control Administrator and/or Water Resources Administrator shall provide on-

site inspection prior to the start of pit operations and periodically during such activity. The administrator shall insure that all work is being performed according to the approved site plan, the erosion and sediment control plan, and upon completion of the work shall make a final inspection and forward a copy of the final report to the Queen Anne's County Soil Conservation District, to the Queen Anne's County Planning and Zoning Administrator and to the Maryland Department of Natural Resources, Watershed Permit Section.

F. If periodic inspections show environmental problems exist, safety problems, exist, or other detrimental conditions exist; corrective action shall be taken to eliminate the recurrence of the condition.,

THE COUNTY COMMISSIONERS
OF QUEEN ANNE'S COUNTY

/s/Leonard E. Smith
LEONARD E. SMITH

/s/Julius Grollman
JULIUS GROLLMAN

/s/John M. Ashley, Jr.
JOHN M. ASHLEY, JR.

ATTEST:

/s/Lynda H. Palmatary
LYNDA H. PALMATARY, CLERK

DATED: JULY 26, 1977

Upon motion made by Mr. Ashley, seconded by Mr. Smith, it was unanimously resolved that the application of Earl Warfield Seward and Earl Willis Seward for reclassification of the lands described in the Petition as 2.14 acres, more or less, from M-3 Maritime District to A-2 Agriculture-Conservation is hereby granted.

THE COUNTY COMMISSIONERS
OF QUEEN ANNE'S COUNTY

/s/JULIUS GROLLMAN
Julius Grollman, President

/s/LEONARD E. SMITH
Leonard E. Smith

/s/JOHN M. ASHLEY, JR.
John M. Ashley, Jr.

DATED JANUARY 10, 1978

ATTEST:

/s/Lynda H. Palmatary
LYNDA H. PALMATARY, CLERK

COUNTY ORDINANCE 81

After consideration of the testimony and exhibits, it was moved by Mr. Ashley, seconded by Mr. Grollman and unanijously resolved that the areas designated in read on the attached exhibit A be and they are hereby re-classified from A-1 Agricutural to R-5 Residential.

THE COUNTY COMMISSIONERS
OF QUEEN ANNE'S COUNTY

/s/JULIUS GROLLMAN
Julius Grollman, President

/s/LEONARD E. SMITH
Leonard E. Smith

/s/JOHN-M. ASHLEY, JR.
John M. Ashley, Jr.

DATED: JANUARY 10, 1978

ATTEST:

/s/Lynda H. Palmatary
LYNDA H. PALMATARY, CLERK

COUNTY ORDINANCE 82

IN THE MATTER OF THE PETITION OF LESTER CARPENTER LEONARD, JR.
FOR A CHANGE IN THE CLASSIFICATION OF LAND IN THE FIFTH ELECTION
DISTRICT OF QUEEN ANNE'S COUNTY FROM A-1, AGRICULTURAL DISTRICT,
TO B-2 GENERAL BUSINESS DISTRICT.

For the reasons stated it was moved by Mr. Ashley, seconded
by Mr. Smith and unanimously resolved that the following amendment
to the Comprehensive Zoning Ordinance of Queen Anne's County be
adopted:

BE IT ORDAINED, that all that parcel of land designated as
Parcel No. 141, Block 2, Queen Anne's County Tax Map No. 59,
titled to Kester Carpenter Leonard, Jr., by deed dated August 9,
1972, and recorded in Liber C.W.C. No. 66, folio 268 of the Land
Records of Queen Anne's County be and the same is hereby re-zoned
"B-2", General Business District.

BE IT FURTHER ORDAINED, that this ordinance shall take effect
as of the date hereof.

THE COUNTY COMMISSIONERS
OF QUEEN ANNE'S COUNTY

/s/ Julius Grollman
JULIUS GROLLMAN

/s/ Leonard E. Smith
LEONARD E. SMITH

/s/ John M. Ashley, Jr.
JOHN M. ASHLEY, JR.

DATED: June 6, 1978

ATTEST:

/s/ Lynda H. Palmatary
Lynda H. Palmatary, Clerk

COUNTY ORDINANCE NO. 83

IN THE MATTER OF THE PETITION OF JOHN EDGAR LAWHORNE AND ESSIE JUANITA LAWHORNE FOR A CHANGE IN ZONING CLASSIFICATION OF A TRACT OF LAND LOCATED IN THE FOURTH ELECTION DISTRICT OF QUEEN ANNE'S COUNTY FROM R-3 URBAN RESIDENTIAL TO B-2 GENERAL BUSINESS DISTRICT

For the reasons stated it was moved by Mr. Ashley, seconded by Mr. Grollman, it was unanimously resolved that the Petition, as amended for reclassification of heretofore described two parcels of land be approved.

THE COUNTY COMMISSIONERS
OF QUEEN ANNE'S COUNTY

/s/ Julius Grollman

/s/ Leonard E. Smith

/s/sJohn M. Ashley, Jr.

DATED: November 14, 1978

ATTEST:

/s/Lynda H. Palmatary

COUNTY ORDINANCE NO. 84

IN THE MATTER OF THE AMENDMENT TO ARTICLE 16 (M-2 DISTRICT) SECTION 16.403
AND SECTION 16.202.

After consideration of all the testimony and exhibits, it was moved
by Mr. Smith seconded by Mr. Ashley and unanimously resolved that the
Comprehensive Zoning Ordinance be amended as recommended by the
Planning Commission.

THE COUNTY COMMISSIONERS
OF QUEEN ANNE'S COUNTY

/s/ Julius Grollman
Julius Grollman

/s/ Leonard E. Smith
Leonard E. Smith

/s/ John M. Ashley, Jr.
John M. Ashley, Jr.

Date: November 21, 1978

Attest:

/s/ Lynda H. Palmatary
Lynda H. Palmatary

COUNTY ORDINANCE NO. 85

IN THE MATTER OF THE PETITION OF FRANK E. DEVORE AND ESTHER V. DEVORE, OWNERS, AND SHOWELL FARMS INC., OPTIONEE, FOR A CHANGE IN THE ZONING CLASSIFICATION.

A hearing before the County Commissioners on the petition of Frank E. DeVore et. al for a change in classification of lands of the petitioners from A-1 Agricultural to M-2 General Industrial was heard on November 8, 1978 at the Goodwill Firehouse, Centreville, Maryland.

The Commissioners found that for the reasons stated at the hearing and those stated in the Planning Commission recommendation that there was a mistake in the original and re-adapted zoning ordinance regarding the needs for industrial sites and the zoning of areas to meet those needs.

Upon motion by Mr. Ashley, seconded by Mr. Smith, it was unanimously resolved that the Comprehensive Zoning Ordinance of Queen Anne's County be amended as follows:

Be it Ordained that all of the lands described in the Petition for reclassification designated as Parcels 154 and 23 on Sectional Zoning Map No. 6 and Parcel 42 on Sectional Zoning Map No. 7 be reclassified from A-1 Agriculture to M-2 General Industrial District.

THE COUNTY COMMISSIONERS
OF QUEEN ANNE'S COUNTY

/s/ Julius Grollman
Julius Grollman

/s/ Leonard E. Smith
Leonard E. Smith

/s/ John M. Ashley, Jr.
John M. Ashley, Jr.

DATE: Nov. 21 1978

ATTEST:

/s/ Lynda H. Palmatary
Lynda H. Palmatary

ORDINANCE NO. 70
REGULATION OF SEWER USE

An ordinance regulating the use of public and private sewers and drains, private wastewater disposal, the installation and connection of building sewers, and the discharge of waters and wastes into the public sewer system; and providing penalties for violations thereof: in the County of Queen Anne's, State of Maryland, exclusive of any incorporated municipality.

Be it ordained and enacted by the County Commissioners of Queen Anne's County, State of Maryland as follows:

ARTICLE I

Definitions

- Section 1. "Biochemical oxygen demand (BOD)" shall mean the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five (5) days at 20° C, expressed in milligrams per liter.
- Section 2. "Building drain" shall mean that part of the lowest horizontal piping of a drainage system which receives the discharge from soil, waste, and other drainage pipes inside the walls of the building and conveys it to the building sewer, beginning five (5) feet (1.5 meters) outside the inner face of the building wall.
- Section 3. "Building sewer" shall mean the extension from the building drain to the public sewer or other place of disposal, also called house connection.
- Section 4. "Combined sewer" shall mean a sewer intended to receive both wastewater and storm or surface water.
- Section 5. "Easement" shall mean an acquired legal right for the specific use of land owned by others.
- Section 6. "Floatable oil" is oil, fat, or grease in a physical state such that it will separate by gravity from wastewater by treatment in an approved pretreatment facility. A wastewater shall be considered free of floatable fat if it is properly pretreated and the water does not interfere with the collection system.



- Section 7. "Garbage" shall mean the animal and vegetable waste resulting from the handling, preparation, cooking, and serving of foods.
- Section 8. "Industrial wastes" shall mean the wastewater from industrial processes, trade, or business as distinct from domestic or sanitary wastes.
- Section 9. "Natural outlet" shall mean any outlet, including storm sewers and combined sewer overflows, into a watercourse, pond, ditch, lake, or other body of surface or groundwater.
- Section 10. "May" is permissive (see "shall", Section 18).
- Section 11. "Person" shall mean any individual, firm, company, association, society, corporation, or group.
- Section 12. "ph" shall mean the logarithm of the reciprocal of the hydrogen-ion concentration. The concentration is the weight of hydrogen ions, in grams, per liter of solution. Neutral water, for example, has a pH value of 7 and a hydrogen-ion concentration of 10^{-7} .
- Section 13. "Properly shredded garbage" shall mean the wastes from the preparation, cooking, and dispensing of food that have been shredded to such a degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers, with no particle greater than 1/2 inch (1.27 centimeters) in any dimension.
- Section 14. "Public sewer" shall mean a common sewer controlled by a governmental agency or public utility.
- Section 15. "Sanitary sewer" shall mean a common sewer that carries liquid and water-carried wastes from residences commercial buildings, industrial plants, and institutions together with minor quantities of ground, storm and surface waters that are not admitted intentionally.
- Section 16. "Sewage" is the spent water of a community. The preferred term is "wastewater;" Section 25.
- Section 17. "Sewer" shall mean a pipe or conduit that carries wastewater or drainage water.
- Section 18. "Shall" is mandatory (see "may" Section 10).

- Section 19. "Slug" shall mean any discharge of water or wastewater which in concentration of any given constituent or in quantity of flow exceeds for any period of duration longer than fifteen (15) minutes more than five (5) times the average twenty-four (24) hour concentration or flows during normal operation and shall adversely affect the collection system and/or performance of the wastewater treatment works.
- Section 20. "Storm drain" (sometimes termed "storm sewer") shall mean a drain or sewer for conveying water, groundwater, subsurface water, or unpolluted water from any source.
- Section 21. "Director" shall mean the Director of Public Works for Queen Anne's County, or his authorized deputy, agent, or representative.
- Section 22. "Chief" shall mean the Chief of the Water, Sewage, and Solid Waste Division of the Department of Public Works for Queen Anne's County, or his authorized deputy, agent or representative.
- Section 23. "Suspended solids" shall mean total suspended matter that either floats on the surface of, or is in suspension in, water, wastewater, or other liquids and that is removable by laboratory filtering as prescribed in "Standard Methods for the Examination of Water and Wastewater" and referred to as nonfilterable residue.
- Section 24. "Unpolluted water" is water of quality equal to or better than the effluent criteria in effect or water that would not cause violation of receiving water quality standards and would not be benefited by discharge to the sanitary sewers and wastewater treatment facilities provided.
- Section 25. "Wastewater" shall mean the spent water of a community. From the standpoint of source, it may be a combination of the liquid and water-carried wastes from residences, commercial building, industrial plants and institutions, together with any groundwater, surface water, and storm water that may be present.
- Section 26. "Wastewater Facilities" shall mean the structures, equipment, and processes required to collect, carry away, and treat domestic and industrial wastes and dispose of the effluent.
- Section 27. "Wastewater treatment works" shall mean an arrangement of devices and structures for treating wastewater, industrial wastes and sludge. Sometimes used as synonymous with "waste treatment plant" or "wastewater treatment

- Section 28. "Watercourse" shall mean a natural or artificial channel for the passage of water either continuously or intermittently.
- Section 29. "County" shall mean Queen Anne's County, State of Maryland, and for the purposes of this ordinance shall exclude those incorporated municipalities within the County.
- Section 30. "Sanitary District" shall mean Queen Anne's County, State of Maryland, exclusive of any incorporated municipality.
- Section 31. "Department of Health" shall mean the Department of Health for Queen Anne's County, Maryland.

ARTICLE II

Use of Public Sewers Required

- Section 1. It shall be unlawful for any person to place, deposit, or permit to be deposited in any unsanitary manner on public or private property within Queen Anne's County, or in any area under the jurisdiction of said County, any human or animal excrement, garbage, or objectionable waste.
- Section 2. It shall be unlawful to discharge to any natural outlet within Queen Anne's County, or in any area under the jurisdiction of said County, any wastewater or other polluted waters, except where suitable treatment has been provided in accordance with subsequent provisions of this ordinance.
- Section 3. Except as hereinafter provided, it shall be unlawful to construct or maintain any privy, privy vault, septic tank, cesspool, or other facility intended or used for the disposal of wastewater.
- Section 4. The owner(s) of all houses, buildings, or properties used for human occupancy, employment, recreation, or other purposes, situated within Queen Anne's County and abutting on any street, alley, or right-of-way in which there is now located a public sanitary or combined sewer of the County, is hereby required at the owner(s) expense to install suitable toilet facilities therein, and to connect such facilities directly with the proper public sewer in accordance with the provisions of the ordinance, within ninety (90) days after date of official notice to do so, provided that said public sewer is within one hundred fifty (150) feet (45.7 meters) of the property line.

ARTICLE III

Individual Private Wastewater Disposal

- Section 1. Where a public sanitary or combined sewer is not available under the provisions of Article II, Section 4, the building sewer shall be connected to an individual private wastewater disposal system complying with the provisions of this article.
- Section 2. Before commencement of construction of a private wastewater disposal system the owner(s) shall first obtain a written permit signed by the Chief of Water, Sewage, and Solid Waste Division. The application for such permit shall be made on a form shall supplement by any plans, specification, and other information as are deemed necessary by the Chief. A permit and inspection fee of whatever reasonable sum as the County may prescribe shall be paid to the County at the time the application is filed. To avoid duplication of supervision, the County may waive this provision if the Department of Health issues the permits and makes the inspections required by this Article.
- Section 3. A permit for a private wastewater disposal system shall not become effective until the installation is completed to the satisfaction of the Chief of the Water, Sewage and Solid Waste Division. The Chief shall be allowed to inspect the work at any stage of construction, and, in any event, the applicant for the permit shall notify the Chief when the work is ready for final inspection, and before any underground portions are covered. The inspection shall be made within forty-eight (48) hours of the receipt of notice by the Chief.
- Section 4. The type, capacities, location, and layout of an individual private wastewater disposal system shall comply with all requirements of the Department of Health. No septic tank or cesspool shall be permitted to discharge to any natural outlet.
- Section 5. At such time as a public sewer becomes available to a property served by a private wastewater disposal system, as provided in Article III, Section 4, a direct connection shall be made to the public sewer within sixty (60) days in compliance with this ordinance, and any septic tanks, cesspools, and similar private wastewater disposal facilities shall be cleaned of sludge and filled with suitable material.
- Section 6. The owner(s) shall operate and maintain the individual private wastewater disposal facilities in a sanitary manner at all times, at no expense to the County.
- Section 7. No statement contained in this article shall be constructed to interfere with any additional requirements that may be imposed by the health officer.

ARTICLE IV

Multi-Use Wastewater Disposal

- Section 1. No wastewater collection, treatment, or disposal system or extension thereof serving two or more residential housing or condominium units; buildings or premises; commercial businesses, rentals or leasehold units; industrial buildings; vessels or pleasure craft in the County may be constructed by any private owner without the prior approval of the Director of Public Works.
- Section 2. If application for the construction or extension of any wastewater system or part thereof is made, and the County determines that the construction or extension is inexpedient or impracticable at the time, owing to the remoteness from its general system or other considerations, the applicant may enter into a contract or agreement with the County to build and operate the system, but only after the County has revised or amended the County Master Water and Sewage Plan. It shall be constructed only under whatever plans and specifications as have been submitted to and approved by the Director of Public Works and its maintenance and operation shall be under the general control of the County.

ARTICLE V

Building Sewers and Connections

- Section 1. No unauthorized person(s) shall uncover, make any connections with or opening into, use, alter, or disturb any public sewer or appurtenance thereof without first obtaining a written permit from the Chief of the Water, Sewage, and Solid Waste Division.
- Section 2. There shall be two (2) classes of building sewer permits: (a) for residential and commercial service, and (b) for service to establishments producing industrial wastes. In either case, the owner's or his agent shall make application on a special form furnished by the County. The permit application shall be supplemented by any plans, specifications, or other information considered pertinent in the judgment of the Chief. A permit and inspection fee of whatever reasonable sum as the County may prescribe shall be paid to the County at the time the application is filed.
- Section 3. All costs and expenses incidental to the installation and connection of the building sewer shall be borne by the owners. The owners shall indemnify the County from the loss or damage that may directly or indirectly be occasioned by the installation of the building sewer.

- Section 4. A separate and independent building sewer shall be provided for every building; except where one building stands at the rear of another on an interior lot and no private sewer is available or can be constructed to the rear building through an adjoining alley, court, yard, or driveway, the front building may be extended to the rear building and the whole considered as one building sewer, but the County does not and will not assume any obligation or responsibility for damage caused by or resulting from any such single connection aforementioned.
- Section 5. Old building sewers may be used in connection with new buildings only when they are found, on examination and test by the Chief, to meet all requirements of this ordinance.
- Section 6. The size, slope, alignment, materials of construction of a building sewer, and the methods to be used in excavating, placing of the pipe, jointing, testing, and backfilling the trench shall all conform with the "Standard Specifications and Details for Sanitary Sewers and Water Mains" for Queen Anne's County. In the absence of specification provisions or in amplification thereof, the materials and procedures set forth in appropriate specifications of the ASTM and WPCF Manual of Practice No. 9 shall apply.
- Section 7. Whenever possible, the building sewer shall be brought to the building at an elevation below the basement floor. In all buildings in which any building drain is too low to permit gravity flow to the public sewer, sanitary sewage carried by such building drain shall be lifted by an approved means and discharged to the building sewer.
- Section 8. No person(s) shall make connection of roof downspouts, foundation drains, areaway drains, or other sources of surface runoff or groundwater to a building sewer or building drain which in turn is connected directly or indirectly to a public sanitary sewer unless such connection is approved by the Chief for purposes of disposal of polluted surface drainage.
- Section 9. The connection of the building sewer into the public sewer shall conform to the requirements of the building and plumbing code or other applicable rules and regulations of the County, or the procedures set forth in appropriate specifications of the ACTM and the WPCF Manual of Practice No. 9. All such connections shall be made gastight and watertight and verified by proper testing. Any deviation from the prescribed procedures and materials must be approved by the Chief before installation.

Section 10. The applicant for the building sewer permit shall notify the Chief when the building sewer is ready for inspection and connection to the public sewer. The connection and testing shall be made under the supervision of the Chief or his representative.

Section 11. All excavations for building sewer installation shall be adequately guarded with barricades and lights so as to protect the public from hazard. Streets, sidewalks, parkways, and other public property disturbed in the course of the work shall be restored in a manner satisfactory to the County.

ARTICLE VI

Use of the Public Sewers

Section 1. No person(s) shall discharge or cause to be discharged any unpolluted waters such as stormwater, groundwater, roof runoff, subsurface drainage, or cooling water to any sewer, except stormwater runoff from limited areas, which stormwater may be discharged to the sanitary sewer by permission of the Chief.

Section 2. Stormwater other than that exempted under Article VI, Section 1, and other unpolluted drainage shall be discharged to such sewers as are specifically designated as combined sewers or storm sewers or to a natural outlet approved by the Chief and other regulatory agencies. Unpolluted industrial cooling water or process water may be discharged, on approval of the Chief, to a storm sewer, combined sewer, or natural outlet.

Section 3. No person(s) shall discharge or cause to be discharged any of the following described waters or waste to any public sewers:

- (a) Any gasoline, benzene, naphtha, fuel oil, oil, or other flammable or explosive liquid, solid, or gas.
- (b) Any waters containing toxic or poisonous solids, liquids, or gases in sufficient quantity, either singly or by interaction with other wastes, to injure or interfere with any wastes treatment process, constitute a hazard to humans or animals, create a public nuisance, or create any hazard in the receiving waters of the wastewater treatment plant.
- (c) Any waters or waste having a pH lower than (5.5), or having anyother corrosive property capable of causing damage or hazard to structures, equipment, and personnel of the wastewater works.
- (d) Solid or viscous substances in quantities or of such size capable of causing obstruction to the flow in sewers, or other interference with the proper operation of the wastewater facilities such as, but not limited to, ashes, bones, cinders, sand, mud, straw,

shavings, metal, glass, rags, feather, tar, plastic, wood, unground garbage, wholeblood, paunch manure, hair and fleshings, entrails and paper dishes, cups, milk, containers, ect., either whole or ground by garbage grinders.

Section 4.

The following described substances, material, water, or waste shall be limited in discharges to public systems to concentrations or quantities which will not harm either the sewers, wastewater treatment processer equipment, will not have an adverse effect on the recieving stream, or will not harm either the sewers, wastewater treatment process or equipment, will not have an adverse effect on wise endanger lives, limb, public property, or constitute a nuisance. The Cheif may set limitations established in the regulations below if in his opinion such more severe limitations are necessary to meet the above objectives. In forming his opinion as to the acceptability, the Cheif will give consideration to such factors as the quantity fo subject waste in relation to flows and velocities in the sewers, materials of construction of the sewers, the wastewater treatment process employed, capacity of the wastewater treatment plant, and other pertinent factors.

The limitations or restriction on material or characteristics of waste or waste or wastewaters discharged to the sanitary sewer which shall not be violated without approval of the Cheif are as follows:

- (a) Wastewater having a temperature higher than 150° Fahrenheit (65° Celsius).
- (b) Wastewater containing more than 25 milligrams per liter of petroleum oil, nonbiodegradable cutting oil origin.
- (c) Wastewater from industrial plants containing more than 100 milligrams per liter of floatable oils, fat, or grease.
- (d) Any garbage that has not been properly shredded (see Article I, Section 13.) Garbage grinders may be connected to sanitary sewers from homes, hotels, catering establishments, or similar places where garbage originates from the preparation of food in kitchens for the purpose of consumption on the premises or when served by caterers.
- (e) Any waters or wastes containing iron, chromium, copper, zinc, and similar objectionable or toxic substances to such degree that any such material received in the composite wastewater at the wastewater treatment works exceeds the limits established by the Chief for such materials.

- (f) Any waters or wastes containing odorproducing substances exceeding limits which may be established by the Chief for such materials.
- (g) Any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the Chief in compliance with applicable state or federal regulations.
- (h) Quantities of flow, concentrations, or both which constitute a "slug" as defined herein..
- (i) Waters or wastes containing substances which are not amenable to treatment processes employed or are amenable to treatment only to such degree that the wastewater treatment plant effluent can not meet the requirements of other agencies having jurisdiction over discharge to the receiving waters.
- (j) Any water or wastes which, by interaction with other water or wastes in the public sewer system, releases obnoxious gases, form suspended solids which interfere with the collection system, or create a condition deleterious to structures and treatment processes.

Section 5. If any water or wastes are discharged or are proposed to be discharged to the public sewers, which waters contain the substances or possess the characteristics enumerated in Section 4 of this Article, and which in the judgment of the Chief, may have a deleterious effect upon the wastewater facilities, processes, equipment, or receiving waters, or which otherwise create a hazard to life or constitute a public nuisance, the Chief may

- (a) Reject the waste,
- (b) Require pretreatment to an acceptable condition for discharge to the public sewers,
- (c) Require control over the quantities and rates of discharge, and/or
- (d) Require payment to cover added cost of handling and treating the wastes not covered by existing taxes or sewer charges under the provisions of Section 10 of this article.

When considering the above alternatives, the Chief shall give consideration to the economic impact of each alternative on the discharger. If the Chief permits the pretreatment or equalization of waste flows, the design and installation of the plants and equipment shall be subjected to the review and approval of the Chief.

Section 6. Grease, oil, and sand interceptors shall be provided when, in the opinion of the Chief, they are necessary for the proper handling of liquid wastes containing floatable grease in excessive amounts, as specified in Section 4(c), or any flammable wastes, sand, or other harmful ingredients except that such interceptors shall be of a type and capacity approved by the Chief, and shall be located as to be readily and easily accessible for cleaning and inspection. In the maintaining

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of these interceptors the owner(s) shall be responsible for the proper removal and disposal by appropriate means of the captured material and shall maintain records of the dates, and means of disposal which are subject to review by the Chief. Any removal and hauling of the collected materials not performed by owner(s) personnel must be performed by currently licensed waste disposal firms.

Section 7. Where pretreatment or flow-equalizing facilities are provided or required for any waters or wastes, they shall be maintained continuously in satisfactory and effective operation by the owner(s) at his expense.

Section 8. When required by the Chief the owner of any property serviced by a building sewer carrying industrial wastes shall install a suitable structure together with such necessary meters and other appurtenances in the building sewer to facilitate observation, sampling, and measurement of the wastes. Such structure, when required, shall be accessibly and safely located and shall be constructed in accordance with plans approved by the Chief. The structure shall be installed by the owner at his expense and shall be maintained by him so as to be safe and accessible at all times.

Section 9. The Chief may require a user of sewer services to provide information needed to determine compliance with this ordinance.

These requirements may include:

- (a) Wastewater discharge peak rate and over a specified time period.
- (b) Chemical analysis of wastewaters.
- (c) Information on raw materials, processes, and products affecting wastewater volume and quality.
- (d) Quantity and disposition of specific liquid, sludge, oil, solvent, or other materials important to sewer use control.
- (e) A plot plan of sewers of the user's property showing sewer and pretreatment facility location
- (f) Details of wastewater pretreatment facilities.
- (g) Details of systems to prevent and control the losses of materials through spills to the public sewer.

Section 10. All measurements, tests, and analyses of the characteristics of waters and wastes to which reference is made in this ordinance shall be determined in accordance with the latest edition of "Standard Methods for the examination of Water and Wastewater," published by the American Public Health Association. Sampling methods, location, times, durations, and frequencies are to be determined on an individual basis subject to approval by the Chief.

Section 11. No statement contained in this article shall be construed as preventing any special agreement or arrangement between the County and any industrial concern whereby an industrial waste of unusual strength or character may be accepted by the County for treatment.

ARTICLE VII

Vandalism

Section 1. No person(s) shall maliciously, willfully, or negligently break, damage, destroy, uncover, deface, or tamper with any structure, appurtenance or equipment which is part of the wastewater facilities. Any person(s) violating this provision shall be subject to immediate arrest under charge of disorderly conduct.

Article VIII

Powers and Authority of Inspectors

Section 1. The Director of Public Works, the Chief of the Water, Sewage, and Solid Waste Division, and other duly authorized employees of the County bearing proper credentials and identification shall be permitted to enter all properties for the purposes of inspection, observation, measurement, sampling and testing pertinent to discharge to the community system in accordance with the provisions of this ordinance.

Section 2. The Chief or other duly authorized employees are authorized to obtain information concerning industrial processes which have a direct bearing on the kind and source of discharge to the wastewater collection system. The industry may withhold information considered confidential. The industry must establish that the revelation to the public of the information in question might result in an advantage to competitors.

Section 3. While performing the necessary work on private properties referred to in Article VIII, Section 1, above, the Director, Chief, or duly authorized employees of the County shall observe all safety rules applicable to the premises established by the company, and the company shall be held harmless for injury or death to the County employees, and the County shall indemnify the company against loss or damage to its property damage asserted against the company and growing out of the gauging and sampling operation, except as such may be caused by negligence or failure of the company to maintain safe conditions as required in Article VI, Section 8.

Section 4. The Cheif and other duly authorized employees of the County bearing proper crecentials and identification shall be permitted to enter all private properties through which the County holds a guly negotiated easement for the purposes of, but not limited to, inspection, observation, measurement, sampling, repair, and maintenance of any portion of the wastewater facilities lying within said easement. All entry and subsequent work, if any, on said easement, shall be done in full accordance with the terms of the duly negotiated easement pertaining to the private property involved.

ARTICLE IX

Penalties

Section 1. Any person, firm, or corporation violating any of the provisions or requirements of this ordinance shall be guilty of a misdemeanor and upon conviction thereof shall be subject to a fine not exceeding one hundred dollars (100.00) or to confinement in the County jail for not more than thirty (30) days, or both, for each offense. Each day's violation shall constitute a separate offense.

ARTICLE X

Conflict

Section 1. All prior ordinances inconsistent with the provisions of this Ordinance are hereby repealed in part to the extent of their inconsistency.

Section 2. Should any part of this Ordinance be found invalid, it shall not affect the validity of any other part.

ARTICLE XI
EFFECTIVE DATE

Section 1. This Ordinance shall take effect and be in force on 1 May 1976.

ADOPTED,

this 30th day of March 1976

THE COUNTY COMMISSIONERS
OF QUEEN ANNE'S COUNTY

/s/ John M. Ashley, Jr., Pres.

/s/ John M. Ashley, Jr., Pres.

/s/ Julius Grollman

/s/ Julius Grollman

/s/ Leonard E. Smith

/s/ Leonard E. Smith

ATTEST:

/s/ Lynda H. Palmatary
Lynda H. Palmatary, Clerk

ORDINANCE

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ARTICLE I
Definitions

Unless the context specifically indicates otherwise, the meaning of terms used in the ordinance shall be as follows:

- SECTION 1. "Aerobic tank" shall mean a watertight, covered receptacle designed covered receptacle designed and constructed to receive the discharge of sewage from a building sewer; separate settleable solids from the liquid; digest organic matter by aerobic bacterial action; and allow clarified liquids to discharge for additional treatment and final disposal.
- SECTION 2. "Aerobic tank system" shall mean a wastewater disposal system consisting of three chamber tank with aeration and sludge return discharging to a ground absorption field.
- SECTION 3. "Alluvial soils" shall mean stratified soils without distinct horizons, deposited by flood waters.
- SECTION 4. "Approving authority" shall mean the Department of Public Works for Queen Anne's County, Maryland, unless, the Department of Public Works waives its jurisdiction to the Department of Health or for Queen Anne's County, Maryland, or any other agency when, in the opinion of the Director of Public Works, the Department of Health or other agency enforces the requirements that exceed the minimum standards established by this ordinance.
- SECTION 5. "Areas subject to frequent flooding" shall mean those areas consisting of alluvial soils, indicating soil deposited from flooding of less than a ten (10) year frequency.
- SECTION 6. "Building drain" shall mean that part of the lowest horizontal piping of a drainage system which receives the discharge from soil, waste, and other drainage pipes inside the walls of the building and conveys it to the building sewer, beginning five (5) feet (1.5 meters) outside the inner face of the building wall.
- SECTION 7. "Building sewer" shall mean the extension from the building drain to the public sewer, septic tank, or other place of disposal, also called house connection.
- SECTION 8. "Cesspool" shall mean a deep hole or well for the reception of wastewater; it is designed to retain the organic solids while permitting the liquids to seep through the bottom and sides.
- SECTION 9. "Chief of the Water, Sewage, and Solid Waste Division" shall mean the Chief of the Water, Sewage, and Solid Waste Division of the Department of Public Works for Queen Anne's County, Maryland, or his authorized deputy, agent, or representative.
- SECTION 10. "County" shall mean Queen Anne's County, State of Maryland and for the purposes of this ordinance shall exclude those incorporated municipalities within the County.
- SECTION 11. "Department of Health" shall mean the Department of Health for Queen Anne's County, Maryland.

- SECTION 12. "Department of Public Works" shall mean the Department of Public Works for Queen Anne's County, Maryland.
- SECTION 13. "Deputy State Health Officer" shall mean the Deputy State Health Officer of the Department of Health for Queen Anne's County, Maryland, or his authorized deputy, agent, or representative.
- SECTION 14. "Director" shall mean the Director of Public Works for Queen Anne's County, or his authorized deputy, agent, or representative.
- SECTION 15. "Easement" shall mean an acquired legal right for the specific use of land owned by others.
- SECTION 16. "Environmental Health Service" shall mean the Environmental Health Service of the Department of Health for Queen Anne's County, Maryland.
- SECTION 17. "Field lateral lines" shall mean the open-jointed pipe or drain lines which receive the septic tank effluent for nitrification, distribution, and absorption into the soil beneath the ground surface.
- SECTION 18. "Garbage" shall mean the animal and vegetable waste resulting from the handling, preparation, cooking, and serving of foods.
- SECTION 19. "Grade boards" shall mean an arrangement of wooden boards placed in a disposal trench to support the pipe and maintain the grade of the field lateral line, laid lengthwise with broad sides of the boards parallel with the sides of the trench.
- SECTION 20. "Grease interceptor" shall mean a receptacle designed to collect and retain grease and fatty substances normally found in kitchen or similar wastes.
- SECTION 21. "Green area" shall mean the area used for the disposal of wastewater by soil infiltration and by evapotranspiration; it contains the seepage bed and a safety area around it and also the additional area needed should another seepage bed be required in the future.
- SECTION 22. "Health Officer" shall mean the Deputy State Health Officer of the Department of Health for Queen Anne's County, Maryland, or his authorized deputy, agent, or representative.
- SECTION 23. "Horizon" shall mean a layer of soil, approximately parallel to the surface, that has distinct characteristics produced by soil-forming processes.
- SECTION 24. "May" is permissive (see "shall", Section 43).
- SECTION 25. "Minor wastewater disposal system" shall mean a wastewater system consisting of collection, treatment, and disposal facilities serving two or more units or with a design capacity in excess of five thousand (5,000) gallons per

day (18,925 liters per day); and with a design capacity not in excess of forty thousand (40,000) gallons per day (151,400 liters per day); and not discharging directly to any watercourse.

- SECTION 26. "Native soil" shall mean that soil formed and deposited by natural processes.
- SECTION 27. "Natural outlet" shall mean any outlet, including storm sewers and combined sewer overflows, into a watercourse, pond, ditch, lake, or other body surface or groundwater.
- SECTION 28. "Nitrification field" shall mean the system of nitrification lines or field lateral lines which receive the septic tank effluent.
- SECTION 29. "Organic soils" shall mean those organic mucks and peats consisting of more than twenty percent (20%) organic matter to depths of eighteen (18) inches (46 centimeters) or greater.
- SECTION 30. "Ped" shall mean a unit of soil structure such as an aggregate, crumb, prism, block, or granule, formed by natural processes.
- SECTION 31. "Perch" shall mean restricting vertical movement of liquids.
- SECTION 32. "Person" shall mean any individual, firm, company, association, society, corporation, or group.
- SECTION 33. "Privy" shall mean any and all buildings which are used for affording privacy in acts of urination and defecation which are not connected to a residential septic tank or community type wastewater system.
- SECTION 34. "Public sewer" shall mean a common sewer controlled by a governmental agency or public utility.
- SECTION 35. "Residence" shall mean any private home, tenant house, apartment, hotel, marina, mobile home, institution or places where people reside for any period of time.
- SECTION 36. "Sanitary sewer" shall mean a sewer that carries liquid and water-carried wastes from residences, commercial buildings, industrial plants, and institutions together with minor quantities of ground, storm, and surface waters that are not admitted intentionally.
- SECTION 37. "Scavenger" shall mean any person engaged in the business of cleaning and emptying septic tanks, cesspools, seepage pits, privies, or any other wastewater disposal facility.
- SECTION 38. "Seepage pit" shall mean a deep hole or well for the reception of septic tanks effluent; it is designed to permit the septic tank effluent to seep through the bottom and sides.
- SECTION 39. "Septic tank" shall mean a watertight, covered receptacle designed and constructed to receive the discharge of sewage from a building sewer;

separate settleable solids from the liquids; digest organic matter by anaerobic bacterial action, store digested solids through a period of detention; and allow clarified liquids to discharge for additional treatment and final disposal.

- SECTION 40. "Septic tank system" shall mean a wastewater disposal system consisting of a holding or settling tank and a ground absorption field.
- SECTION 41. "Sewage" shall mean the spent water of a residence, commercial building, industrial plant, institution, or community, the preferred term is wastewater (see Section 51)
- SECTION 42. "Sewer" shall mean a pipe or conduit that carries wastewater or drainage water.
- SECTION 43. "Shall" is mandatory (see "may", Section 24).
- SECTION 44. "Sludge" shall mean the solid residuals of wastewater treatment found in septic tanks systems and privies.
- SECTION 45. "Soil" shall mean, for the purposes of subsurface wastewater disposal, the unconsolidated mineral and organic material on the land surface. It consists of sand, silt, and clay minerals and variable amounts of organic materials. It exists as natural undisturbed materials. It exists as natural undisturbed material or as disturbed material (such as cut and fill).
- SECTION 46. "Soil absorption system" shall mean a system that utilizes the soil for absorption of treated wastewater.
- SECTION 47. "Structure" shall mean as it relates to soils, the arrangement of primary soil particles into compound particles or clusters that are separated from adjoining aggregates and have properties unlike those of an equal mass of unaggregated primary soil particles.
- SECTION 48. "Subsurface disposal" shall mean the process of wastewater disposal in which the wastewater effluent is applied to land by distribution beneath the surface of the ground through openjointed pipe or drain lines.
- SECTION 49. "Swampy areas" shall mean any land area saturated with and sometimes partially or intermittently covered with water for at least part of the year.
- SECTION 50. "Unit" shall mean a house, building, mobile home, condominium unit, commercial business, rental or leasehold unit, vessel, pleasure craft, or any similar structure or facility.
- SECTION 51. "Wastewater" shall mean the spent water of a residence, commercial building, industrial plant, institution, or community
- SECTION 52. "Watercourse" shall mean a natural or artificial channel for the passage of water either continuously or intermittently.
- SECTION 53. "Water, Sewage, & Solid Waste Division" shall mean the Water, Sewage, & Solid Waste Division of the Department of Public Works for Queen Anne's County, Maryland.

ARTICLE II
Wastewater Disposal Requirements

- SECTION 1. Every residence, commercial building, industrial plant, institution, or any other structure in Queen Anne's County where sanitary facilities are deemed necessary for the protection of Public Works or the Deputy State Health Officer for Queen Anne's County, shall connect to a public sewer as required in Ordinance No. 70, REGULATION OF SEWER USE, Article II. Where a public sewer is not available, wastewater disposal shall be accomplished by the use of a septic tank system, a sanitary privy, or other facilities meeting the requirements of this ordinance and approved by the Water, Sewage, and Solid Waste Division.
- SECTION 2. No person shall deposit wastewater or other polluted waters on the surface of the soil, in any body of waters on the soil, in any body of water, or in any natural outlet within Queen Anne's County, or in any area under the jurisdiction of said County, except where suitable treatment has been provided in accordance with the provisions of Ordinance No. 70, REGULATION OF SEWER USE.
- SECTION 3. No septic tank system, aerobic tank system, or privy shall be used to serve two or more separate houses, buildings, mobile homes, separate houses, buildings, mobile homes, condominium units, commercial businesses, rentals or leasehold units, industrial buildings, vessels, or pleasure craft unless a permit has been issued by the Water, Sewage, and Solid Waste Division.
- SECTION 4. No person shall use a privy, septic tank system, aerobic tank system, or other type of wastewater disposal system serving two or more units that is not being maintained and operated in accordance with accepted sanitary practices. The disposal system shall be maintained and operated at no expense to the county.

ARTICLE III

Permits to Construct, Install, Repair, Maintain, or Alter Septic Tank Systems, Aerobic Tank Systems, and Sanitary Privies.

- SECTION 1. No person shall construct, install, repair, or make alterations to septic tank systems, aerobic tank systems, privies, or other type of disposal system serving two or more separate houses, buildings, mobile homes, condominium units, commercial businesses, rental or leasehold units, vessels, or pleasure craft without first having obtained a written permit signed by the Chief of the Water, Sewage, and Solid Waste Division. The application for such permit shall be made on a form furnished by the County, which the applicant shall supplement by any plans, specifications, and other information as are deemed necessary by the Chief. A permit and inspection fee of whatever reasonable sum as the County may prescribe shall be paid to the County at the time the application is filed.

SECTION 2. A permit for a minor wastewater disposal system shall not become effective until the installation is completed to the satisfaction of the approving authority. The approving authority shall be allowed to inspect the work at any stage of construction, and in any event; the applicant for the permit shall notify the approving authority when the work is ready for final inspection, and before any underground portions are covered. The inspection shall be made during the normal work week within forty-eight (48) hours of the receipt of notice by the approving authority. Upon final inspection and approval, each person shall be responsible to backfill the minor wastewater disposal system within seventytwo (72) hours. No system shall be backfilled or covered until the approving authority has given written approval. Any part of an installation which has been covered prior to final approval shall be uncovered upon order of the approving authority.

SECTION 3. The types, capacities, location, and layout of a minor wastewater disposal system shall comply with all requirements of this ordinance and the Department of Health for Queen Anne's County.

SECTION 4. Due to the variability of individual use experience, topography, soil characteristics, water tables, depth to impervious strata, percolation tests, and other factors, approval of a wastewater disposal system does not in any manner give or imply a guarantee that the system will operate satisfactorily for any set period of time.

SECTION 5. New privies can be approved where conditions prohibit subsurface wastewater disposal for structures with intermittent, temporary, or seasonal use. They will not be approved for new buildings with permanent full-time occupancy.

SECTION 6. A permit will not be issued for any wastewater disposal system with a capacity in excess of five thousand (5,000) gallons per day (18,925 liters per day) unless that system is shown in the QUEEN ANNE'S COUNTY MASTER WATER & SEWAGE PLAN. Any conglomeration of individual systems serving one or more like or dissimilar facilities on a common lot or parcel shall be evaluated as a single system for the purposes of evaluating the applicability of the above requirement shall be discounted by the approving authority in evaluating the applicability of the above requirement.

SECTION 7. All new wastewater disposal systems with a capacity in excess of five thousand (5,000) gallons per day (18,925 liters per day) shall be operated and maintained by the Queen Anne's County Department of Public Works, its authorized agent, or the Maryland Environmental Services.

ARTICLE IV

Design and Construction Standards
for Privies

- SECTION 1. The "approved privy" shall consist of a pit, floor slab and seat assembly housed in a building which affords privacy and reasonable protection from the weather.
- SECTION 2. The pit shall consist of an excavation at least forty-two (42) inches (106.7 centimeters) square and five (5) feet (1.5 meters) deep; but in no case shall the depth be such that contamination of groundwater will occur. An earth pit shall be permitted except where it will be located within two hundred (200) feet (51.00 meters) of oyster growing waters or bathing areas or where it may be subject to surface tidal flooding. Under such situations a watertight pit will be required built up above the ground surface to a height above maximum flood level.
- SECTION 3. The pit shall be properly curbed to prevent caving. In sandy or loose soil the curb should extend the full depth of the pit. In tight soils partial curbing is acceptable if it prevents caving.
- SECTION 4. The privy floor slab shall be constructed of reinforced concrete as approved by the water, Sewage, and Solid Waste Division. Where it is impractical to secure or construct reinforced concrete floor assemblies, wood construction will be accepted provided the floor slab is made of rough sub-flooring and covered with tight tongue-and-groove flooring or other type flooring materials to provide strength and prevent entrance of flies and mosquitos to the pit. Where wood construction is used, floors shall be anchored to at least four (4) by four inch (10 centimeters) sills.
- SECTION 5. The pit shall be equipped with a riser capped with a seat and self-closing lid. Wood used for riser and seat assemblies shall be tongue-and-groove or plywood (exterior or marine) material.
- SECTION 6. The pit shall be vented through a screened stack extending above the roof of the privy super structure.
- SECTION 7. The pit shall provide a minimum capacity of fifty (50) cubic feet (1416 liters).

ARTICLE V

Maintenance of Privies

- SECTION 1. The person owning or controlling the property upon which a privy is located shall be responsible for the following items regarding maintenance of approved privies:
 - (a) The privy building shall afford a reasonable degree of protection from bad weather conditions.
 - (b) Where earth pits are used, when the pit becomes filled to within eighteen (18) inches (46 centimeters)

of the top of the ground, the privy building shall be moved to a new pit and the old pit shall be completely covered with earth or the pit contents shall be removed and disposed of in a manner acceptable to the approving authority

- (c) Where watertight pits are used, when the pit becomes filled to within twelve (12) inches (30 centimeters) of the top of the pit, the pit contents shall be removed and disposed of in a manner acceptable to the approving authority. Privies with removeable cans shall be considered in this same category. When removable cans are used, they shall be placed within watertight pits or vaults.
- (d) If the pit should cave in, a new pit shall be provided.

SECTION 2. The tenant or person occupying the property upon which a privy is located shall be responsible for the following items regarding maintenance of approved privies:

- (a) The walls, floor, and seat of the privy and the grounds immediately adjacent to the building must be kept in a clean and decent condition.
- (b) Chickens and other animals shall not be harbored in the privy buildings.
- (c) The seat cover shall be hinged and closed at all times when the privy is not in use.
- (d) Flies and mosquitos shall be excluded from the pit at all times. The application of a cup full of kerosene or used oil once each week will assist in controlling mosquito breeding and will keep down odors.
- (e) Ashes, garbage, and trash shall be kept out of the pit.

ARTICLE VI

Design and Construction Standards for Septic Tanks

SECTION 1. The "septic tank" shall be of watertight construction, structurally sound, and not subject to excessive corrosion or decay. Septic tanks may be precast reinforced concrete, poured in place concrete, or of a material approved by the Water, Sewage, and Solid Waste Division.

SECTION 2. Septic tanks of one thousand six hundred (1,600) gallon (6,056 liter) liquid capacity or larger shall be of two-compartment design and construction. The inlet compartment of two-thirds (2/3) and three-fourths (3/4) of the total tank capacity. Two-compartment septic tanks are recommended for tanks of less than one thousand six hundred (1,600) gallon (6,056 liters) capacity.

SECTION 3. A dosing syphon or pump shall be used for discharging septic tank effluent into nitrification lines when the volume of the tank is more than three thousand (3,000) gallons (11,355 liters) and the total length of such lines

is one thousand feet (1,000) feet (304.8 meters) or more, alternating syphons or pumps shall be of such design so as to fill the nitrification lines sixty percent (60%) to seventy-five (75%) of line capacity at each discharge.

SECTION 4. Minimum liquid capacities for septic tanks serving single family dwelling units shall be in accordance with Table I. Septic tanks for commercial, industrial, institutional, or other non-residential installations shall be determined on the basis of specific needs. The minimum capacity of any septic tank shall be seven hundred fifty (7500 gallons (2839 liters)).

SECTION 5. Septic tanks shall be constructed in accordance with plans and specifications which have been approved by the approving authority. These plans and specifications shall show the design of the septic tank in detail, including: all pertinent dimensions, reinforcement material, concrete strength, liquid depth, cleanout provisions, and other design features. The approving authority shall use the following minimum standards as guides in the review and approval of design plans and specifications for septic tanks:

- 8 (a) The minimum liquid depth for any size tank shall forty-eight (48) inches (122 centimeters).
- (b) A minimum of nine (90 inches (23 centimeters of freeboard shall be required; the freeboard being the air space between the top of the liquid and the bottom side of the lid or cap of the tank.
- (c) The length of the septic tank should be at least twice the width, but in no case should the length exceed three (3) times the width.
- (d) The inlet should be a straight pipe.
- (e) The outlet should be a sanitary tee that extends down approximately two-fifths (2/5) of the liquid depth.
- (f) The invert of the inlet pipe shall be two (2) to three (3) inches (5 to 8 centimeters) higher than the invert of the outlet pipe.
- (g) A septic tank standpipe of six (6) inches (15 centimeters) diameter cast iron pipe shall extend to the ground surface (final grade). A tight fitting cap shall cover the standpipe extension.
- (h) At least one manhole or access opening approximately twenty-one (21 by twenty-one (21) inches (53 centimeters) should be provided. If the top of the tank is cast as multiple slabs, no single slab directly over the inlet or outlet should weigh in excess of one hundred fifty (150) pounds (68.0 kilograms).
- (i) In every multi-compartment tank there shall be a full baffle made of durable material extending from the bottom of a horizontal series of holes along a line three (30 inches (8 centimeters) below the bottom side of the lid, and broken by a horizontal series of holes along a line located a distance below the surface approximately two fifth (2/5) the liquid depth, and in each of the two (2) lower corners of the baffle, a hole shall be

provided to equalize the original liquid pressure between the two compartments.

- (j) Precast concrete tanks shall have side walls and bottoms at least three (3) inches (8 centimeters) in thickness. The top shall have a minimum thickness of three and one-half (3 1/2) inches (9 centimeters). Reinforcement shall be not less than 6 x 6--10/10 welded wire fabric. Minimum compressive strength of concrete shall be three thousand (3,000) pounds per square inch (210.9 kilograms per square centimeters).
- (k) Poured in place concrete tanks up to and including one thousand (1,000) gallon capacity (3,785 liters) shall have side walls and bottoms at least six (6) inches (15 centimeters) in thickness and tops at least four (4) inches (10 centimeters) in thickness. Poured in place concrete tanks greater than one thousand (1,000) gallon (3,785 liters) capacity but less than one thousand five hundred (1,500) gallon (5,678 liter) capacity shall have side walls at least seven (7) inches (18 centimeters) in thickness bottoms at least six (6) inches (15 centimeters) in thickness, and tops at least five (5) inches (13 centimeters) in thickness. Poured in place concrete tanks of one thousand five hundred (1,500) gallon (5,678 liter) capacity or greater shall have side walls at least eight (8) inches (20 centimeters) in thickness, bottoms at least six inches (15 centimeters) in thickness and tops at least five (5) inches (13 centimeters) in thickness. For tanks up to four (4) feet (1.2 meters) in width, the reinforcing for the cover slab shall consist of 4 x 4--4/4 welded wire fabric; for tanks greater than four (4) feet (1.2 meters) in width, the reinforcing shall consist of No. 4 bars at six (6) inches (15 centimeters) on center each way. Minimum compressive strength of concrete shall be two thousand five hundred (2,500) pounds per square inch (175.8 kilograms per square centimeter).
- (l) Septic tanks shall be installed in such a manner that tops shall not be more than twenty four (24) inches (61 centimeters) below the finished grade. Plumbing elevations must be carefully planned to fulfill this requirement.
- (m) In every septic tank satisfactory venting shall be provided through the inlet and main building stack.
- (n) All voids, joints and openings shall be properly sealed to make the septic tank watertight.
- (o) Upon initial installation every septic tank shall be set level and filled with water. The void space around the tank shall be carefully compacted with fill material.

ARTICLE VII
DESIGN AND CONSTRUCTION STANDARDS
FOR AEROBIC TANKS

- SECTION 1. The "aerobic tank" shall be of watertight construction, structurally sound, and not subject to excessive corrosion or decay. Aerobic tanks may be precast reinforced concrete, poured in place concrete, or of a material approved by the Water, Sewage, and Solid Waste Division.
- SECTION 2. Aerobic tanks shall be of three-compartment design and construction. The inlet compartment or pre-settling chamber shall have a retention time of not less than twenty-four (24) hours at design flow. The aeration chamber shall have a retention time of not less than twenty-four (24) hours at design flow. The outlet compartment of final settling chamber shall have a retention time of not less than six (6) hours at design flow.
- SECTION 3. A dosing syphon or pump shall be used for discharging aerobic tank effluent into the nitrification lines when the total volume of the tank is more than three thousand (3,000) gallons (11,355 liters) and the total length of such lines is five hundred (500) feet (152.4 meters) or more. When the total length of such lines is one thousand (1,000) feet (304.8 meters) or more, alternating syphons or pumps shall discharge to multiple nitrification fields. Alternating syphons or pumps shall be of such design so as to fill the nitrification lines sixty percent (60%) to seventy-five (75%) of line capacity at each discharge.
- SECTION 4. Minimum liquid capacities for aerobic tanks serving single family dwelling units shall be in accordance with Table 1. Aerobic tanks for commercial, industrial, institutional, or other non-residential installations shall be determined on the basis of specific needs. The minimum capacity of any aerobic tank shall be one thousand (1,000) gallons (3,785 liters).
- SECTION 5. Aerobic tanks shall be constructed in accordance with plans and specifications which have been approved by the approving authority. These plans and specifications shall show the design of the aerobic tank in detail including: all pertinent dimensions, reinforcement material, concrete strength, liquid depth, cleanout provisions, and other design features. The approving authority shall use the following minimum standards as a guide in the review and approval of design plans and specifications for aerobic tanks:
- (a) The minimum liquid depth for any size tank shall be forty-eight (48) INCHES (122 centimeters).
 - (b) A minimum of nine (9) inches (23 centimeters) of freeboard shall be required; the freeboard being the air space between the top of the liquid and the bottom side of the lid or cap of the tank.
 - (c) The length of the aerobic tank should

- be at least twice the width, but in no case should the length exceed four (4) times the width.
- (d) The inlet should be a straight pipe.
 - (e) The outlet should be a sanitary tee that extends down approximately two-fifths (2/5) of the liquid depth.
 - (f) The invert of the inlet pipe shall be two (2) to three (3) inches (5 to 8 centimeters) higher than the invert of the outlet pipe.
 - (g) Two (2) aerobic tank standpipes of six (6) inch (15 centimeter) diameter cast iron pipe shall extend surface (final grade). A tight fitting cap shall cover each standpipe extension. A standpipe shall be located directly over each settling chamber.
 - (h) At least one manhole or access opening approximately twenty-one (21) by twenty-one (21) inches (53 centimeters) should be provided, If the top of the tank is cast as multiple slabs, no single slab directly over the inlet or outlet should weigh in excess of one hundred fifty (150) pounds (68.0 kilograms).
 - (i) In every aerobic tank there shall be a full baffle between the pre-setting chamber and the aeration chamber made of durable material extending from the bottom of a horizontal line three (3) inches (8 centimeters) below the bottom side of the lid and broken by a horizontal series of holes along a line located a distance below the surface approximately one-half (1/2) the liquid depth, and in each of the two (2) lower corners of the baffle, a hole shall be provided to equalize the original liquid pressure between the two compartments. Also, there shall be a full baffle between the aeration chamber and the final settling chamber made of durable material extending from the bottom of a horizontal line three (3) inches (8 centimeters) below the bottom side of the lid, and broken by a horizontal series of holes along a line located a distance below the surface approximately (1/5) the liquid depth, and in each of the two (2) lower corners of the baffle, a hole shall be provided to equalize the original liquid pressure between the two compartments.
 - (j) Precast concrete tanks shall have side walls and bottoms at least three (3) inches (8 centimeters) in thickness. The top shall have a minimum thickness of three and one-half (3 1/2) inches (9 centimeters). Reinforcement shall be not less than 6 x 6--10/10 welded wire fabric. Minimum compressive strength of concrete shall be three thousand (3,000) pounds per square inch (210.9 kilograms per square centimeter).
 - (k) Poured in place concrete tanks up to and including one thousand (1,000) gallons (3,785 liter) capacity shall have side walls and bottoms at least six (6) inches (15 centimeters) in thickness and tops at least four (4) inches (10 centimeters) in thickness. Poured in place concrete tanks greater than one thousand (1,000) gallon

- (3,785 liter) capacity but less than one thousand five hundred (1,500) gallon (5,678 liter) capacity shall have side walls at least seven (7) inches (18 centimeters) in thickness, bottoms at least six (6) inches (15 centimeters) in thickness, and tops at least five (5) inches (13 centimeters) in thickness. Poured in place concrete tanks of one thousand five hundred (1,500) gallon (5,678 liters) capacity or greater shall have side walls at least eight (8) inches (20 centimeters) in thickness, and tops at least five (5) inches (13 centimeters) in thickness. For tanks up to four (4) feet (1.2 meters) in width, the reinforcing for the cover slab shall consist of 4 x 4 --4/4 welded wire fabric; for tanks greater than four (4) feet (1.2 meters) in width, the reinforcing shall consist of No. 4 bars at six (6) inches (15 centimeters) on center each way. Minimum compressive strength of concrete shall be two thousand five hundred (2,500) pounds per square inch (175.8 kilograms per square centimeter).
- (l) Aerobic tanks shall be installed in such a manner that tops shall not be more than twenty-four (24) inches (61 centimeters) below the finished grade. Plumbing elevation must be carefully planned to fulfill this requirement.
 - (m) In every aerobic tank satisfactory venting shall be provided through the inlet and main building stack.
 - (n) All voids, joints, and openings shall be properly sealed to make the aerobic tank watertight.
 - (o) Upon initial installation every aerobic tank shall be set level and filled with water. The void space around the tank shall be carefully compacted with fill material.

SECTION 6. Aeration shall be achieved by diffusion, by mechanical aerators, or by a combination of the two methods. The quantity of air supplied shall not be less than two thousand (2,000 cubic feet per pound (124.9 cubic meters per Kilogram) of influent five-day BOD. Air may be introduced continuously or intermittently. If intermittent, the operation shall be cycled to limit any off period to a maximum of one (1) hour and shall maintain aerobic conditions in the aeration chamber at all times.

SECTION 7. Mixing within the aeration chamber may be accomplished by diffused air, mechanical aerators, or by other mechanical means. Mixing shall be adequate to prevent the deposition of sludge in the aeration chamber.

SECTION 8. A pump, air lift, or other suitable means shall be provided to return sludge from the final settling chamber to the aeration chamber. Suitable means shall be provided to adjust the rate of sludge return.

SECTION 9. Every aerobic treatment system shall be equipped with an audio-visual alarm system which shall be designed to monitor high liquid level in the treatment unit,

critical mechanical equipment, and a test function.

SECTION 10. All mechanical components shall be readily accessible for inspection and maintenance.

SECTION 11. The treatment system shall be capable of providing an effluent from the final settling chamber with an average five-day BOD of not more than thirty-five (35) milligrams per liter and with an average concentration of suspended solids of not more than one hundred (100) milligrams per liter.

SECTION 12. A sand filter or other additional treatment facilities may be required when, in the opinion of the Chief of the Water, Sewage, and Solid Waste Division, their use would be appropriate.

TABLE I
 MINIMUM CAPACITY OF SEPTIC TANKS
 Single Family Swellings

<u>Number of Bedrooms</u>	<u>Minimum Liquid Capacity</u>
2 or less	750 gallons
3	900 gallons
4	1000 gallons
5	1250 gallons
6	1500 gallons

Notes:

1. For each additional bedroom beyond six (6), add two hundred fifty (250) gallons to the liquid capacity.
2. For the purpose of determining the number of bedrooms a "den" with a closet will be considered as a bedroom.

TABLE I
 MINIMUM CAPACITY OF AEROBIC TANKS
 Single Family Dwelling

<u>Number of Bedrooms</u>	<u>Minimum Liquid Capacity</u>
2	1000 gallons
3	1100 gallons
4	1200 gallons
5	1400 gallons
6	1700 gallons

Notes:

1. For each additional bedroom beyond six (6), add three hundred (300) gallons to the liquid capacity.
2. For the purpose of determining the number of bedrooms a "den" with a closet will be considered as a bedroom.

ARTICLE VIII

Design and Construction Standards
for Distribution Boxes

- SECTION 1. A distribution box shall be constructed at the head of the field lateral lines to assure uniform distribution of septic tank effluent.
- SECTION 2. The "distribution box" shall be located at least five (5) feet (1.5 meters) from the septic tank or dosing tank and on solid undisturbed earth or a concrete slab and shall be at least (5) feet (1.5 meters) from the nearest open-joint or perforated section of nitrification line.
- SECTION 3. The "distribution box" shall be of watertight construction, structurally sound, and not subject to excessive corrosion or decay. Distribution boxes may be pre-cast reinforced concrete or poured in place concrete.
- SECTION 4. Where there is considerable fall between the septic tank outlet or dosing tank outlet and the nitrification lines, the distribution box shall be so placed that the fall is between the tank and the distribution box and not between the distribution box and the lines.
- SECTION 5. The outlet pipes from the distribution box shall be water leveled and subjected to a water test.
- SECTION 6. Distribution boxes shall be constructed in accordance with plans and specifications which have been approved by the approving authority. These plans and specifications shall show the design of the distribution box in detail, including: all pertinent dimensions, reinforcement material, concrete strength, and other design features. The approving authority shall use the following minimum standards as guides in the review and approval of design plans and specifications for distribution boxes:
- (a) The inside measurements of the distribution box shall be at least eighteen (18) inches (46 centimeters) in length by fourteen (14) inches (36 centimeters) in depth.
 - (b) The invert of the inlet pipe shall be at least two (2) inches (5 centimeters) higher than the invert of the outlet pipes.
 - (c) The invert of the outlet pipes shall be located at least four (4) inches (10 centimeters) above the floor of the distribution box in order to permit water retention.
 - (d) A concrete baffle at least six (6) inches (15 centimeters) high and extending two-thirds (2/3) the width of the box across the bottom with equal open spaces between ends of the baffle and side walls of the box shall be provided.

- (e) Precast concrete boxes shall have side walls and bottoms at least three (3) inches (8 centimeters) in thickness. The top shall have a minimum thickness of three and one-half (3 1/2) inches (9 centimeters). Reinforcement shall be not less than 6 x 6 -- 10/10 welded wire fabric. Minimum compressive strength of concrete shall be three thousand (3,000) pounds per square inch (210.9 kilograms per square centimeter).
- (f) Poured in place concrete boxes shall have side walls and bottoms at least four (4) inches (10 centimeters) in thickness. The reinforcing for cover slab shall consist of 4 x 4 -- 4/4 welded wire fabric. Minimum compressive strength of concrete shall be two thousand five hundred (2,500) pounds per square centimeter).
- (g) The distribution box shall have a water tight removable concrete cover.

ARTICLE IX

Design and Construction Standards for Nitrification Lines.

- SECTION 1. All nitrification lines used in a subsurface disposal field shall contain equivalent square footage trench bottom area.
- SECTION 2. Each disposal trench shall be connected by a watertight line from the distribution box to the trench.
- SECTION 3. No trench shall exceed one hundred (100) feet (30.5 meters) in length.
- SECTION 4. The trench bottom shall be one (1) foot (0.3 meters); the maximum width of the trench bottom shall three (3) feet (0.9 meters).
- SECTION 5. The trench bottom shall be uniformly graded to slope from a minimum of two (2) inches per hundred (100) feet (17 centimeters per 100 meter) to a maximum of four (4) inches per hundred (100) feet (33 centimeters per 100 meters).
- SECTION 6. All trenches in a subsurface field shall be separated by at least ten (10) feet (3.0 meters) of undisturbed earth.
- SECTION 7. Filter material shall cover the bottom of the trench to a depth of not less than twelve (12) inches (30 centimeters) beneath the bottom of the drain lines and four (4) inches (10 centimeters) above the top of the drain lines.
- SECTION 8. The filter material to be used shall consist of washed crushed stone or equivalent ranging in size from one-half (1/2) inch (1 centimeter) to two and one-half (2 1/2) inches (6 centimeters) in diameter, and shall be free of all fines, dusts, ashes, clay, and debris. Approved precast concrete or terra cotta cavity producing devices may be used when substitute for equivalent volume of stone.

- SECTION 9. A one (1) inch (3 centimeter) by six (6) inch (15 centimeter) grade board shall be set and supported by stakes at least every ten (10) feet (3.0 meters). Grade boards shall be used to support the drain lines.
- SECTION 10. Filter material cover may consist of either hay, straw, red resin, or building paper the width and length of the trench; asphalt treated paper shall not be used.
- SECTION 11. Drain lines shall be preferably perforated bituminized fiber pipe or plastic pipe; open-jointed terra cotta drain tile or concrete drain tile may be used. The perforated pipe shall be installed with the holes downward at the four (4) o'clock and eight (8) o'clock position. The drain tiles shall be spaced not less than one-eighth (1/8) inch (0.3 centimeters) and not more than one-fourth (1/4) inch (0.6 centimeters), and the upper half shall be capped by asphalt treated paper in strips four (4) inches (10 centimeters) in width but ten (10) inches (25 centimeters) in length. Drain lines shall be four (4) inches (10 centimeters) in diameter unless otherwise approved by the approving authority.
- SECTION 12. All curves and turns in a nitrification line shall be close fitting and sealed across the top and down each side in order to prevent their being knocked out of line.
- SECTION 13. Tie-downs shall be used at a separation distance not to exceed three (3) feet (0.9 meters) in order to prevent displacement of the nitrification lines. Two acceptable methods shall be:
- (a) Curved rods to hold the pipe in place.
 - (b) Wiring the pipe to the grade board.
- SECTION 14. All nitrification lines shall be so constructed as to allow a minimum of ten (10) inch (25 centimeters) cover and a maximum of thirty (30) inch (76 centimeter) cover from the top of the drain line to the finished grade.

ARTICLE X

Design and Construction Standards for Sewer Line

- SECTION 1. Buildings sewer, outlet pipe from septic tanks, outlet pipe from dosing tanks, and outlet pipe from distribution boxes shall be cast iron pipe with a minimum diameter of four (4) inches (10 centimeters). All joints shall be sealed as approved by the approving authority.
- SECTION 2. The building sewer should have a straight alignment and bends shall be avoided whenever possible. Change in direction horizontal or vertical, shall be made by use of long radius bends or Y-branches.

- SECTION 3. The slope of all sewer line, excluding the outlet pipe from distribution boxes, shall have a minimum slope of twelve and $(1/2)$ inches per hundred (100) feet (104 centimeters per 100 meters).
- SECTION 4. Cleanouts shall be installed at each change of direction of the building sewer greater than forty-five degrees (45°) and where straight runs are in excess of seventy-five (75) feet (22.9 meters).
- SECTION 5. Cleanout shall be extended to finished grade on either a forty five degree (45°) or ninety degree (90°) plane.
- SECTION 6. Cleanout plugs shall be of brass construction.

ARTICLE XI

Maintenance of Septic Tank System:

- SECTION 1. The person owning or controlling the property upon which a septic tank system is located shall be responsible for the following items regarding the maintenance of approved system:
- (a) Septic tanks shall be maintained at all times to prevent seepage of sewage or effluents to the surface of the ground.
 - (b) septic tanks require occasional cleaning and shall be checked at least one each three (3) years to determine whether or not sludge needs removal (once each year if garbage grinders are discharging to the system). The distribution box should be checked and cleaned when the septic tank is cleaned.
 - (c) Contents removed from septic tanks shall be conveyed by a licensed scavenger to an approved location within twenty-four (24) hours.
- SECTION 2. The tenant or person occupying the property upon which a septic tank system is located shall be responsible for the following items regarding the maintenance of approved system:
- (a) Bleach solutions, salts, acids, lye, and other such chemicals shall be used sparingly. The effect of these on the operation of the septic tank system is detrimental when used in quantity.
 - (b) So-called septic tank cleaning compounds shall not be placed in a septic tank system. There is no material that will eliminate the need for periodic cleaning of a septic tank.

ARTICLE XII

Maintenance of Aerobic Tank Systems

- SECTION 1. A public works agreement providing for the operation and maintenance of the aerobic tank system by the Department of Public Works will be required.
- SECTION 2. The tenant or person occupying the property served by an

aerobic tank system shall be responsible for the following items regarding the maintenance of approved system:

- (a) Bleach solutions, salts, acids, lye, and other such chemicals shall be used sparingly. The effect of these on the operation of the aerobic tank system is detrimental when used in quantity.
- (b) System malfunctions shall be reported immediately to the Chief of the water, Sewage, and Solid waste Division.

ARTICLE XIII

Soil absorption System Sites

SECTION 1. The approving authority shall investigate each proposed soil absorption system site. The investigation shall include the evaluation of the following factors.

- (a) History of surrounding septic tank system failures and/or polluted wells.
- (b) Density of existing soil absorption systems.
- (c) Topography.
 - (1) Slope.
 - (2) Drainage.
 - (3) Flooding.
 - (4) Vegetation.
- (d) Soil Characteristics.
 - (1) Texture.
 - (2) Structure.
 - (3) Depth.
 - (4) Restrictive horizons.
 - (5) drainage.
- (e) Groundwater elevation.
- (f) Percolation tests.

Evaluations shall be made in accordance with the "Technical Guide" and other accepted public health principles. Based on this evaluation, each of the above factors shall be classified as SUITABLE, PROVISIONALLY SUITABLE, or UN SUITABLE.

SECTION 2. in determining the volume of waste-water from residences, the flow rate shall be seventy-five (75) gallons (284 liters) per person per day; and each bedroom shall be considered to be the equivalent of two (2) persons. Flow rates for commercial, industrial, institutional, or other non-residential installations shall be established by the approving authority on an individual basis consistent with current practices.

SECTION 3. Soil absorption systems shall not be permitted on any site classified as UNSUITABLE.

SECTION 4. The area of the soil absorption system bed for sites classified as SUITABLE or PROVISIONALLY SUITABLE shall be as obtained from the following formulae:

- A = area of absorption system bed square feet.
- F= flow of wastewater, gallons per day.
- s = seepage rate (S_i + S) gallons per day sq. foot per day.

S_i can be obtained from Table II and S_e can be obtained from Table III. The above formula assumes that trench construction will be in accordance with the provisions of Article VIII. A minimum sidewall depth of sixteen (16) inches (41 centimeters) for each trench has been assumed; should a lesser depth be utilized for whatever reasons, the approving authority shall increase the size of the soil absorption system bed accordingly. The bottom area of the trench shall not be considered when determining sidewall area.

SECTION 5. A green area containing the soil absorption system bed, a safety area surrounding the bed, and a reserve area for a new bed shall be provided for the disposal of wastewater effluent by soil infiltration and evapotranspiration. The portion of the wastewater effluent which has filtered horizontally away from the seepage bed is evapotranspired and soil-infiltrated in the safety area. Both the soil absorption system bed and the safety area shall be surfacegraded for fast discharge of stormwater away from the site. The layout and spatial arrangement within the green area shall be such that a complete new bed, including its safety area, can be constructed in the event that the first installation fails. The green area should be grass covered and heavily planted with bushes and small trees. No buildings, slabs, patios, pavement tennis courts, swimming pools, or other structures shall be installed within the green area without the permission of the approving authority. Gravelled surfaces should be kept to a minimum. The green area, especially the soil absorption system bed area and the safety area, should not be used as a playground or active sports area. The area of the green area for sites classified as SUITABLE or PROVISIONALLY SUITABLE shall be as obtained from the following formula:

G = green area, square feet.

A = area of absorption system bed, square feet.

S = seepage rate ($S_i + S_e$), gallons per square foot per day.

F = flow of wastewater, gallons per day.

S_i can be obtained from Table II and

S_e can be obtained from Table III.

However, should the above equation provide that the horizontal distance between the boundaries of the green area and of the soil absorption bed be greater than one hundred (100) feet (30.5 meters) for a SUITABLE site or greater than two hundred (200) feet (61.0 meters) for a PROVISIONALLY SUITABLE site, then the approving authority may reduce the size of the green area if it deems such action to be appropriate.

TABLE II
SOIL INFILTRATION RATES (S_i)

<u>Type of Soil</u>	<u>Percolation Rate (minutes/inch)</u>	<u>Anaerobic Infiltration Rate (gal/sq.ft.day)</u>
Sand 0.3 - 1.0 mm	1	0.64
Sand 0.1 - 0.9 mm	5	0.54
Fine Sand 0.05 - 0.8 mm	10	0.44
Fine Sand	15	0.35
Silt and Sand	20	0.29
Silt 0.01 - 0.7 mm	30	0.20
Loam and Silt	45	0.12
Loam, Silt, and Clay	60	0.07

TABLE III

EVAPOTRANSPIRATION RATES (S_e)

<u>Distance from Surface to Wastewater Table (inches)</u>	<u>Surface Treatment of Bed</u>	<u>Anaerobic EVAPOTRANSPIRATION RATE (gal./sq./day)</u>
2 to 3	grass, shrubs	0.04
2 to 3	bare	0.02
6 to 9	grass, shrubs	0.012
6 to 9	bare	0.004

PERMEATION RATES (S_e)

ARTICLE XIV

Location of Septic Tank Systems, Aerobic Tank Systems
and Privies

- SECTION 1. Every privy, septic tank system and aerobic tank system including green area, but excluding building sewer, shall be located at least the minimum horizontal distance from water supplies, watercourses, ponds, lakes, canals, marshes, building foundations, basements, property lines, top of slopes (of terraces, embankments, or cuts), and water lines as shown in Table IV.
- SECTION 2. Septic tank systems, aerobic tank systems, and privies shall not be installed in swampy areas.
- SECTION 3. Septic tank systems, aerobic tank systems, and privies shall not be located where groundwater or surface water may become contaminated.
- SECTION 4. Septic tank systems, aerobic tank systems, and privies shall not be installed in swampy areas.
- SECTION 5. Septic tank systems and aerobic tank systems shall not be located under paved areas or driveways, except that cast iron pipe or other suitable pipe may be permitted to convey the effluent under a driveway from the septic tank to the nitrification field.
- SECTION 6. A nitrification field should not be constructed on recently filled land. Soil texture is a property of the distribution of different sizes of soil particles, and structure relates to the way the particles agglomerate to form pores, clods, and channels. Both texture and structure are important determinants of the ability of a soil to handle liquids. Even if a soil fill of proper texture is used, the structure will have been destroyed by the excavation and filling operations, and it can take years for the structure to be reestablished. Where it is necessary to use fill material, the fill should never be compact because compaction will close the pores at the interface between the fill and the native soil, resulting in partial blockage. This can be minimized by avoiding abrupt changes in soil texture between fill and native soil and by insuring that the pores of the native soil have not been sealed off. There should be a mix of the fill and native soil at the interface of the two sides.

TABLE IV

PROTECTIVE DISTANCES

Every septic tank system and aerobic tank system, including green area, and every privy shall be located at least the minimum horizontal distance from the following:

	<u>Green Area</u>	<u>Other System Components</u>	<u>Privies</u>
Any private water supply	100 feet (30.5 meters)	50 feet (15.2 meters)	100 feet (30.5 meters)
Any community water supply	100 feet (30.5 meters)	50 feet (15.2 meters)	100 feet (30.5 meters)
Any watercourse, stream, river, pond, lake, channel, or canal for the continuous passage of water	100 feet	50 feet	100 feet
Any watercourse, ditch, culvert, or channel for the intermittent passage of surface drainage water with a ten-year flow greater than 10 cfs	25 feet (7.6 meters)	25 feet (7.6 meters)	25 feet (7.6 meters)
Any watercourse, ditch, culvert, or channel for the intermittent passage of surface drainage water with a ten-year flow of 10 cfs or less	5 feet (1.5 meters)	5 feet (1.5 meters)	25 feet (7.6 meters)

	<u>Green Area</u>	<u>Other System Components</u>	<u>Privies</u>
Any swampy area or marsh	(15.52 feet)	(15.52 feet)	(15.2 feet)
Any building foundation	10 feet (3.0 meters)	10 feet (3.0 meters)	10 feet (3.0 meters)
Any basement	15 feet (4.6 meters)	15 feet (4.6 meters)	15 feet (4.6 meters)
Any property line	10 feet (3.0 meters)	10 feet (3.0 meters)	50 feet (15.2 meters)
Top of slope of terraces, embankment, or cuts	15 feet (4.6 meters)	15 feet (4.6 meters)	15 feet (4.6 meters)
Any water line	10 feet (3.0 meters)	10 feet (3.0 meters)	10 feet (3.0 meters)

Note:
 The above distances are minimum distances and greater distances may be required by the approving authority due to soil characteristics, history of polluted wells and/or failing septic tanks, density of existing systems, or other factors.

ARTICLE XV

Site Plans for Septic Tank and Aerobic Tank Systems

- SECTION 1. Prior to the final approval for use of any septic tank system or aerobic tank system or aerobic tank system, the approving authority will require that the applicant submit a site plan containing the following information:
- (a) Plan title, date, and owner's signature.
 - (b) Location as to roads and streets.
 - (c) Lot and/or parcel dimensions.
 - (d) North arrow.
 - (e) The distance to any watercourse, lake, pond canal, ditch, or other natural outlet within five hundred (500) feet (152.4 meters) of the property.
 - (f) The location of each boring test hole and each percolation test hole.
 - (g) the well location and depth (proposed or actual)
 - (h) The location of the distribution box.
 - (i) The location and capacity of the septic tank or aerobic
 - (j) The length, width, and spacing of soil absorption trenches.
 - (k) All other pertinent components of the septic tank systems or aerobic tank system.
 - (l) Distances of wells and soil absorption systems located on adjacent properties.
 - (m) Proposed building locations.
 - (n) Number of bedrooms.
 - (o) Two (2) foot contour elevations, or smaller if required (both existing and proposed).
 - (p) Distance to central water and wastewater systems.
 - (g) Plan schale.

- SECTION 2. The applicant shall attach to the site plan the following;
- (a) Detailed plans and specifications for the septic tank or aerobic tank, distribution box, sewer line, and other pertinent components.
 - (b) Trench cross-section shown to scale.
 - (c) Any other information requested by the approving authority.

ARTICLE XVI

Applicability of Ordinance

- SECTION 1. The provision of this ordinance shall apply to any and all minor wastewater disposal systems installed after the effective date of this ordinance.

- SECTION 2. The approving authority may modify the provisions of Article Article XIII, Soil Absorption System Site, Section 4 and 5, for those serving existing lots provided that:

- (a) On the effective date of this ordinance the lot or parcel is specifically described in a deed, contract, or other instrument conveying title or is specifically described in a re-

corded plat.

- (b) On the date the system construction is proposed to begin, the lot or parcel is not capable of being served by a community or public wastewater system.

SECTION 3. The approving authority may modify the provisions of this ordinance to permit alternative systems capable of achieving equivalent treatment to the facilities specifically mentioned within the ordinance.

SECTION 4. The requirement in this ordinance are minimum requirements. The approving authority shall apply more stringent requirements where it is determined that peculiar or unusual circumstances justify the use of same.

ARTICLE XVII

Right of Appeal

SECTION 1. Any person aggrieved by a decision of the approving authority shall have the right to have said decision reviewed by an appeal board.

SECTION 2. The appeals board shall consist of the County Commissioners of Queen Anne's County the director of Public Works for Queen Anne's County, and the Deputy State Health Officer for Queen Anne's County.

SECTION 3. If an aggrieved person files a request with the appeals board within (5) days of the approving authority's action, the board shall schedule a hearing within thirty (30) days of receipt of the request.

SECTION 4. If the appeals board finds that the action of the approving authority was in error or based upon political, religious, or racial prejudice, the appeals board may decide either to overrule or modify the appealed action.

ARTICLE XVIII

Penalties

SECTION 1. Any person, firm or corporation violating any of the provisions or requirements of this ordinance shall be guilty of a misdemeanor and upon conviction thereof shall be subject to a fine not exceeding one hundred dollars (\$100.00) or to confinement in the County jail for not more than thirty (30) days, or both, for each offense. Each day's or both, for each offense. Each day's violation shall constitute a separate offense.

ARTICLE XIX

Conflict

SECTION 1. All prior ordinances inconsistent with the provisions of this ordinance are hereby repealed in part to the extent of their inconsistency.

SECTION 2. Should any part of this ordinance be found invalid, it shall not affect the validity of any other part.

ARTICLE XX

Effective Date

SECTION 1. This ordinance shall take effect and be in force on 1 May 1977.

ADOPTED,

this 22nd day of March 1977

/s/ Leonard E. Smith
Leonard E. Smith, Pres.

/s/ Julius Grollman
Julius Grollman

/s/ John M Ashley Jr.
John M Ashley Jr.

ATTEST:

/s/ Lynda H. Palmatary
Lynda H. Palmatary

ORDINANCE NO. 76
SOLID WASTE COLLECTION & STORAGE
QUEEN ANNE'S COUNTY, MARYLAND

Water, Sewage, & Solid Waste Division

DEPARTMENT OF PUBLIC WORKS

FOR QUEEN ANNE'S COUNTY

Adopted 5 April 1977

ORDINANCE NO. 76

An ordinance providing for the establishment of collection and disposal service for garbage, rubbish, and ashes; making regulations for the collection and disposal of all such garbage, household rubbish, and ashes, and for the maintenance of sanitary conditions on public and private premises; providing for the disposition and collection of fees for the collection and disposal of such garbage, rubbish, and ashes; and providing penalties for violations thereof: in the County of Queen Anne's, State of Maryland, exclusive of any incorporated municipality.

Be it ordained and enacted by the County Commissioners of Queen Anne's County, State of Maryland as follows:

ARTICLE I

Definitions

Unless the context specifically indicates otherwise, the meaning of terms used in this ordinance shall be as follows:

- SECTION 1. "Ashes" shall mean the residue from the burning of wood, coal, coke, and other combustible materials for the purpose of heating and cooking.
- SECTION 2. "Chief" shall mean the **Chief** of the Water, Sewage, and Solid Waste Division of the Department of Public Works for Queen Anne's County, or his authorized deputy, agent, or representative.
- SECTION 3. "Collector" shall mean a person engaged in the collection of garbage, rubbish, and/or ashes in Queen Anne's County.
- SECTION 4. "County" shall mean Queen Anne's County, State of Maryland, and for the purposes of this ordinance shall exclude those incorporated municipalities within the County".
- SECTION 5. "Director" shall mean the Director of Public Works for Queen Anne's County, or his authorized deputy, agent, or representative.
- SECTION 6. "Garbage" shall mean the animal and vegetable waste resulting from the handling, preparation, cooking, and serving of foods. It shall not include more than a minimum amount of free liquids. It shall not include food processing wastes from canneries packing plants, or similar industries, nor large quantities of condemned food products.
- SECTION 7. "Household" shall mean each family dwelling, each apartment, and each room or group of rooms used as separate living quarters and provided with facilities for the preparation of foods, and in all cases the determination by the Department of Public Works for Queen Anne's County as to what constitutes a separate household or dwelling unit shall be final.
- SECTION 8. May, is permissive (see "shall", Section 13).
- SECTION 9. "Person" shall mean any individual, firm, company, association, society, corporation, or group.
- SECTION 10. "Refuse" shall mean garbage, rubbish, and/or ashes as herein defined.

- SECTION 11. "Rubbish" shall mean all non-putrescible solid waste not included in garbage and ashes consisting of both combustible and non-combustible waste such as paper, cardboard, tin cans, yard clippings, wood, glass, and similar materials except building rubbish and other materials from building construction or reconstruction, stones, street refuse, industrial refuse, dead animals, abandoned large machinery or vehicles, or such other waste materials as are commonly produced in homes.
- SECTION 12. "Sanitary District" shall mean Queen Anne's County, State of Maryland, exclusive of any incorporated municipality. ~~State of Maryland, exclusively of any incorporated municipality.~~
- SECTION 13. "Shall" is mandatory (see "may" Section 8).

ARTICLE II

ADMINISTRATION

- SECTION 1. The Department of Public Works for Queen Anne's County may divide the Sanitary District into solid waste subdistricts in such way as in its judgment will best serve the needs of the Sanitary District, promote convenience and economy of operation and permit the raising of revenues.
- SECTION 2. It shall be unlawful for any person, firm, or corporation to collect and haul garbage, rubbish, or ashes as a service to others in the County unless a permit to collect and haul garbage, rubbish, or ashes shall have been obtained from the Chief of the Water, Sewage, and Solid Division. However, any person, firm, or corporation hauling garbage, rubbish, or ashes generated solely on their premises shall not be required to obtain a permit.
- SECTION 3. The collection and disposal of the refuse in the County shall be under the supervision of the Department of Public Works. The Chief shall have the authority to establish rules, not contrary to the provisions of this ordinance, concerning the days of collection, type and location of waste containers, and such other matters pertaining to the collection, storage, and/or disposal of refuse.
- SECTION 4. The producers of refuse or the owners of premises upon which refuse is accumulated who desire personally to collect and dispose of such refuse, and persons who desire to dispose of waste material not included in the definition of refuse, and persons not within a solid waste subdistrict providing collection service, shall use a watertight container provided with a tight cover and the refuse shall be hauled in such a manner as to prevent offensive odors escaping therefrom and to prevent the refuse from being blown, dropped, or spilled.
- SECTION 5. Ownership of refuse material set out for collection shall be vested in the Collector as of the time of collection.

ARTICLE III

Public Collection of Household Garbage, Rubbish and Ashes

- SECTION 1. All garbage, rubbish, and ashes accumulated or produced in households within a solid waste subdistrict providing collection service shall be collected as herein provided by a collector contracted by the County.
- SECTION 2. The rates for solid waste collection shall consist of a minimum or ready-to-serve charge. These rates shall be uniform throughout each subdistrict for each class of property but the Department of Public Works may make whatever classifications as it deems advisable within any such subdistrict.
- SECTION 3. The expense of household collection shall be charged to property owners according to fee schedule established by the Chief of the Water, Sewage, and Solid Waste Division. Bills shall be sent quarterly, semi-annually, or annually, as the County may determine to each property within the solid waste subdistrict. Bills shall be payable at the office of the County Treasurer or whatever other place as the County may designate.
- SECTION 4. If any bill remains unpaid after thirty (30) days from the date of sending, the County, after written notice left upon the premises or mailed to the last known address of the owner, shall cease to serve the property. Solid waste system assessments shall be liens upon the property served or benefited and, in addition to being enforced by actions at law, may be enforced by a bill in equity against the property so served or benefited. The liens shall be subject only to liens for state and county taxes. These charges shall be due when made and after sixty (60) days from that date shall bear interest at the rate of one-half percent (1/2%) per month.

ARTICLE IV

Pre-Collection Practices

- SECTION 1. The producers of refuse shall prepare the refuse for collection in accordance with the requirements of the Department of Public Works. These requirements shall include:
- (a) All garbage, before being placed in garbage cans for collection, shall have drained from it all free liquids and shall be wrapped in paper.
 - (b) All rubbish shall be drained of liquid before being deposited for collection.
 - (c) Tree trimmings, hedge clippings and similar material

shall be cut to lengths not to exceed four (4) feet (1.2 meters) and securely tied in bundles not more than two (2) feet (0.6 meters) thick before being deposited for collection.

- (d) Cardboard boxes and similar containers shall be broken down and flattened and securely tied in bundles not exceeding four (4) feet (1.2 meters) in diameter and six (6) inches (15.2 centimeters) thick before being deposited for collection.
- (e) Newspaper, magazines, and other printed matter not placed in containers for collection shall be securely tied in bundles not to exceed fifty (50) pounds (22.7 kilograms) in weight.

SECTION 2. The producers of refuse or the owners of premises upon which refuse is accumulated shall provide refuse containers in accordance with requirements of the Department of Public Works. These requirements shall include:

- (a) Garbage receptacles shall be made of metal or plastic, must be watertight, and be provided with a tight fitting cover. No person shall use for the reception of garbage any receptacle having a capacity of more than thirty (30) gallons (113.6 liters). All garbage receptacles shall be kept in a clean, neat, and sanitary condition at all time.
- (b) Ash receptacles shall be of metal and have a capacity of not more than twelve (12) gallons (45.4 liters).
- (c) Rubbish receptacles shall be of a suitable type which can be easily handled by one man.
- (d) The Chief of the Water, Sewage, and Solid Waste Division may authorize the use of suitable plastic and paper bag systems where it can be shown that they are not subject to frequent attack by animal and where closure of overfilled bags is not often faulty.
- (e) All refuse receptacles shall be equipped with suitable handles.
- (f) All refuse receptacles shall be maintained in good condition. Any receptacle that does not conform to the provisions of this ordinance or that may have ragged or sharp edges or any other defect liable to hamper or injure the person collecting the contents thereof shall be promptly replaced upon notice, being given by tagging the container. Failure to comply may result in refusal to collect or the removal of the defective receptacle as refuse.

SECTION 3. The producers of refuse shall store the refuse in accordance with the requirements of the Department of Public Works. These requirements shall include:

- (a) No person shall place any refuse in any street, alley or other public place, or upon any private property within the County, whether owned by such person or not, unless it be in proper receptacles for collection or under an express approval granted by the Director

of Public Works. No person shall throw or deposit any refuse in any stream or other body of water.

No person shall permit receptacles to remain on the curbs, road shoulders, or alleys ways beyond the day of collection.

- (b) Any unauthorized accumulation of refuse on any premises is hereby declared to be a nuisance and is prohibited. Failure to remove any unauthorized accumulation of refuse, after proper notice to do so shall be deemed a violation of this ordinance.
- (c) It shall be unlawful for any person, other than the collector or the occupants of the premises on which the receptacles are stored, to remove the covers or any contents from the refuse receptacles.

SECTION 4. Refuse receptacles shall be placed for collection on the curb of the property, on the shoulder of the road, or along the alley ways, if the residence fronts on the alley and if the collection vehicles. Refuse receptacles shall be placed in such a manner so as not to impede traffic nor endanger the safety of the public.

ARTICLE V

COLLECTION PRACTICES

SECTION 1. Garbage and refuse shall be collected at least once a week within a solid waste subdistrict providing collection service.

SECTION 2. It is the intent of this Ordinance that the reasonable accumulation of refuse of each family for the collection period will be collected. The Chief of the Water, Sewage, and Solid Waste Division may authorized the collector to refuse. Large, bulky items such as appliances, furniture, and similar materials will not be collected by the County's collector.

SECTION 3. It is the intent of this Ordinance that industries, commercial establishments, hospitals, schools, churches, and other institutions shall have their refuse collected by a privately contracted collector.

SECTION 4. The removal of wearing apparel, bedding, or other refuse from homes or other places where highly infectious or contagious diseases have prevailed shall be performed under the supervision and direction of the Department of Public Works. Such refuse shall not be placed in containers for regular collections.

ARTICLE VI

Penalties

SECTION 1. Any person, firm, or corporation violating any of the provisions or requirements of this ordinance shall be guilty of a misdemeanor and upon conviction thereof shall be subject to a fine of not less than five dollars (\$5.00) or more than fifty dollars (\$50.00) for each offense. Each day's violation shall constitute a separate offense.

ARTICLE VII

CONFLICT

SECTION 1. All prior ordinances inconsistent with the provisions of this Ordinance are hereby repealed in part to the extent of their inconsistency.

SECTION 2. Should any part of this Ordinance be found invalid, it shall not affect the validity of any other part.

ARTICLE VIII
Effective Date

SECTION 1. This ordinance shall take effect and be in force on 1 July 1977.

Adopted,
this 5th day of April 1977

The County Commissioners
of Queen Anne's County

/s/ Leonard E. Smith
Leonard E. Smith

/s/ Julius Grollman
Julius Grollman

/s/ John M. Ashley Jr.
John M. Ashley Jr.

ATTEST:

/s/ Lynda H. Palmatary
Lynda H. Palmatary

ORDINANCE NO. 77
REGISTRATION OF REFUSE COLLECTORS
QUEEN ANNE'S COUNTY, MARYLAND

Water, Sewage, & Solid Waste Division
DEPARTMENT OF PUBLIC WORKS
FOR QUEEN ANNE'S COUNTY
Adopted 5 April 1977

ORDINANCE NO. 77
REGISTRATION OF REFUSE COLLECTORS

An ordinance regulating the collection and disposal of garbage, rubbish, ashes, or other waste materials; requiring a registration permit to be obtained before any service for the collection and disposal of garbage, rubbish, ashes, or other waste materials may operate; and providing penalties for violations thereof: in the County of Queen Anne's, State of Maryland, exclusive of any incorporated municipality.

Be it ordained and enacted by the County Commissioners of Queen Anne's County, State of Maryland as follows:

ARTICLE I

Definitions

Unless the context specifically indicates otherwise the meaning of terms used in this ordinance shall be as follows:

- SECTION 1. "Ashes" shall mean the residue from the burning of wood, coal, coke, and other combustible materials for the purpose of heating and cooking.
- SECTION 2. "Chief" shall mean the Chief of the Water, Sewage, and solid Waste Division of the Department of Public Works for Queen Anne's county, or his authorized deputy, agent or representative.
- SECTION 3. "Collector" shall mean Queen Anne's County, State of Maryland and for the purposes of this ordinance shall exclude those incorporated municipalities within the County".
- SECTION 4. "Collector" shall mean a person engaged in the collection of garbage, rubbish, and/or ashes in Queen Anne's County.
- SECTION 5. "Director" shall mean the Director of Public Works for Queen Anne's County, or his authorized deputy, agent, or representative.,.
- SECTION 6. "Garbage" shall mean the animal and vegetable waste resulting from the handling, preparation, cooling, and serving of foods. It shall not include more than a minimum amount of free liquids. It shall not include food processing wastes from canneries, packing plants, or similar industries nor large quantities of condemned food products.
- SECTION 7. "Household" shall mean each family dwelling, each apartment and each room or group of rooms used as separate living quarters and provided with facilities for the preparation of food, and in all cases the determination by the Department of Public Works for Queen Anne's County as to what constitutes a separate household or dwelling unit shall be final.
- SECTION 8. "May" is permissive (see "shall", Section 13).
- SECTION 9. "Person " shall mean any individual, firm, company, association, society, corporation, or group.
- SECTION 10. "Refuse" shall mean garbage, rubbish, and/or ashes as herein defined.
- SECTION 11. "Rubbish" shall mean all non-putrescible solid waste not included in garbage and non-combustible waste such as paper, cardboard, tin cans, yard clippings, wood, glass, and similar materials except building rubbish and other materials from building construction or reconstruction,

stones, street refuse, industrial refuse, dead animals abandoned large machinery or vehicles, or such other waste materials as are not commonly produced in homes.

SECTION 12. "Sanitary District" shall mean Queen Anne's County, State of Maryland, exclusive of any incorporated municipality.

SECTION 13. "Shall" is mandatory (see "may" Section 8).

ARTICLE II

Administration

SECTION 1. It shall be unlawful for any person, firm, or corporation to collect and haul garbage, rubbish, or ashes as a service to others in the County unless a permit to collect and haul garbage, rubbish, or ashes shall have been obtained from the Chief of the Water, Sewage, and Solid Waste Division. However, any person, firm, or corporation hauling garbage, rubbish or ashes generated solely on their premises shall not be required to obtain a permit.

SECTION 2. Application for a permit shall be made in writing to the Chief and shall contain, upon forms prescribed and provided by the Department of Public Works, the following information:

- (a) Name, address, and telephone number of the applicant.
- (b) Type of equipment to be used.
- (c) Method of confining waste material.
- (d) Service area.
- (e) Such other pertinent information as the Chief and shall may require to assure compliance with this Ordinance.

SECTION 3. Upon receipt of an application for a Solid Waste Collection Permit, the Chief or other duly authorized employee, shall examine such documents and data as are submitted with the application and conduct an official inspection of all collection equipment to be used by the applicant. If it shall appear that the proposed solid Waste Collection Service is in compliance with all the requirements of this Ordinance and all other ordinances of Queen Anne's County, the Chief shall issue a permit for the operation of the proposed Service within thirty (30) days.

SECTION 4. The Solid Waste Collection Permit shall be subject to renewal on an annual basis. Such approval shall be granted following a reapplication procedure.

- SECTION 5. A permit and inspection fee of whatever reasonable sum, as the County may prescribe shall be paid to the County at the time the application is filed.
- SECTION 6. In the event of violation of any of the provisions of this Ordinance, the Chief, or his authorized representative, shall give written or personal notice, specifying the violation to the named operator of the collection service ordering him to conform to this Ordinance. In the event that such operation shall not be made to conform within thirty (30) days, the Chief shall thereupon revoke the permit and the collection service shall cease operation in Queen Anne's County.

ARTICLE III

Collection Standards

- SECTION 1. The standards set forth in this Article are minimum standards. Where this Ordinance sets stricter standards than those of an existing ordinance, this Ordinance shall apply. Where another ordinance sets stricter controls and/or standards than this Ordinance, it shall apply.
- SECTION 2. The following collection standards shall be enforced by the Department of Public Works:
- (a) Solid waste shall be collected and transported in such a manner as to prevent public health hazards, safety hazards, and nuisances.
 - (b) Collection and transportation equipment shall be designed and constructed so as to be leak proof, easily loaded, readily emptied, and easily cleaned. The waste shall be suitably enclosed or covered so as to prevent roadside littering, attraction of vectors, or creation of other nuisances. Any spillage of waste on public roads or property shall be considered a violation of this Ordinance unless the hauler shall immediately cleanup the litter.
 - (c) Each vehicle shall have the name, address, and telephone number of the collection service operator on each side of the vehicle. Such information shall be legibly printed in letters not less than one and one-half (1 1/2) inches (3.8 centimeters) high and not less than three quarters (3/4) of an inch (1.9 centimeters) wide.
 - (d) All solid wastes for disposal shall be hauled to a site or facility legally empowered to accept it for processing or disposal, and only during established hours of site operation. The Chief of the Water, Sewage and Solid Waste Division is empowered to restrict the

the use of transfer stations, landfills, and other disposal sites to individual households, and is empowered to direct industrial concerns, commercial concerns, and private collection services to other sites.

- (e) Receptacles cover shall be securely placed on the receptacle by the Collector and the receptacle shall be placed in such manner so as not to impede traffic nor endanger the safety of the public.
- (f) Each vehicle shall be equipped with a first aid kit
- (g) Collectors shall wear heavy-duty gloves when handling refuse.

ARTICLES IV

Powers and Authority of Inspectors

SECTION 1. The Director of Public Works, the Chief of the Water, Sewage, and Solid Waste Division, and other duly authorized employees of the County bearing proper credentials and identification shall be permitted to enter all properties for the purposes of inspection, observation, measurement, sampling, and testing pertinent to the collection and disposal of solid waste in accordance with the provisions of this Ordinance.

SECTION 2. While performing the necessary work on private properties referred to in article IV, Section 1, above, the Director, Chief, or duly authorized employees of the County shall observe all safety rules applicable to the premises established by the owner, and the owner shall be held harmless for injury or death to the County employees, and the County shall indemnify the owner against loss or damage asserted against the owner and growing out of the permit and inspection procedure, except as such may be caused by negligence or failure of the owner to maintain safe conditions.

ARTICLE V

Penalties

SECTION 1. Any person, firm, or corporation violating any of the provisions or requirements of this ordinance shall be guilty of a misdemeanor and upon conviction thereof shall be subjected to a fine not exceeding one hundred dollars (\$100.00) or to confinement in the County jail for not more than thirty (30) days, or both, for each offense. Each day's violation shall constitute a separate offense.

ARTICLE VI

Conflict

- SECTION 1. All prior ordinances inconsistent with the provisions of this Ordinance are hereby repealed in part to the extent of their inconsistency.
- SECTION 2. Should any part of this Ordinance be found invalid, it shall not affect the validity of any other part.

ARTICLE VII

Effective Date

- SECTION 1. This Ordinance shall take effect and be in force on 1 July 1977

ADOPTED,
this 5th day of April 1977

THE COUNTY COMMISSIONERS
OF QUEEN ANNE'S COUNTY

/s/ Leonard E. Smith
Leonard E. Smith, Pres.

/s/ Julius Grollman
Julius Grollman

/s/ John M. Ashley Jr
John M. Ashley Jr.

ATTEST:

/s/ Lynda H. Palmatary
Lynda H. Palmatary

COUNTY ORDINANCE NO. 78

SECTION 1. DEFINITIONS

As used in this ordinance, the following terms mean:

Animal Control Commission: the duly appointed Animal Control Commission for Queen Anne's County..

Animal control Authority: A Maryland licensed veterinarian appointed by the County Commissioners of Queen Anne's County.

Health Officer: The physician in charge of the Queen Anne's County Health Department.

Animal Control Warden: the person or persons and their assistants appointed by the County Commissioners of Queen Anne's County under the County Civil Service Regulations to enforce this ordinance.

Animal Control shelter or animal Found: Any premises so designed by the County Commissioners of Queen Anne's County and the Animal Control Commission for the purpose of impounding and caring for strays, animals found running at large, or animals in violation of this ordinance.

Owner: any person, partnership, association, or corporation owning, keeping or harboring a dog or other animal.

Kennel: Any person, group of persons, association or corporation engaged in the business of breeding, buying, selling, boarding, or training of dogs, who keeps seven or more dogs on the premises. All equipment on the premises used in the operation of such activities shall be deemed part of the kennel.

Domesticated Animal: Any animal that is accustomed to live in or about the habitation of man, including, but not limited to cats dogs, cows, horses, swine, and fowl.

Pet: An animal kept for pleasure rather than utility. Pets include, but are not limited to birds, cats, dogs, fish, hamsters, mice, reptiles domesticated wild animals, and other animals associated with man's environment.

Pet shop: An established which offers to sell two or more species of live animals with the intent that they shall be kept as pets.

At large: Any dog or other animal will be deemed to be "at large when not under restraint.

Stray: A domesticated animal for which ownership is not established or for which owner disclaims future responsibility.

Restraint: A dog or other animal is under "restraint" within the meaning of this ordinance if it is controlled by a leash, or under the control of an owner or other responsible person and obedient to that person's commands, or within a vehicle being driven or parked on the street, or within the property limits of its owner or keeper,

Animal Abandonment: Any owner of a dog or other domesticated animal who does not humanely dispose of the animal or transfer ownership to some responsible person, when ownership is no longer desired, shall be guilty of "animal abandonment".

Animal exposed to Rabies: An animal has been exposed to rabies within the meaning of this ordinance if it has been bitten by, or exposed to any infected within rabies. This determination shall be made by the Maryland Public Health Veterinarian or the County Health Officer.

Queen Anne's County: all of Queen Anne's County including incorporated municipalities until any said incorporated municipality notifies Queen Anne's County that it is adopting an animal control ordinance substantially similar to this ordinance.

SECTION II. Animal Control Commission

(a) Membership- The Animal Control Commission will consist of the following persons: The County Health Officer or his duly appointed representative, The animal Control Authority, the Sheriff of Queen Anne's County or his duly appointed representative and four (4) other members of which two (2) shall be chosen from a list submitted by the Queen Anne's County Humane Society, so long as said Society exists. The term of office of Commission members shall be three (3) years. the members shall be appointed by the County Commissioners of Queen Anne's County, shall receive no remuneration for their service, and may be removed for just cause prior to the expiration of the term by the County Commissioners.

(1) The County Commissioners shall appoint the chairman of the Commission and the Commission shall elect its vice-chairman, secretary, and treasurer annually.

(2) The Animal Control Commission may appoint an individual other than a Commission member to serve as its non-voting, recording secretary.

(b) The Animal Control Commission shall meet at the call of the chairman or two (2) Commission members to:

(1) Adopt rules and regulations concerning:

(a) The operation of the Animal Control Shelter or Shelters;

(b) Standards for the collection, care custody, and disposal of animals as set forth in this ordinance;

(c) Standards for the maintenance of kennels and pet shops;

(2) Prepare and review annual budgets of the Animal Control Shelter and the Animal Control Commission, and make recommendations to the County Commissioners in accordance with the County budget procedure.

(3) Conduct public hearings on matters concerning the Animal Control Commission, its rules, or laws, and, upon written application hear appeals on decisions of the Animal Control Wardens.

(4) Recommend to the board of County Commissioners any necessary changes in the law or ordinance regarding the control of animals.

(5) Adopt necessary rules and regulations for the control of domesticated animals in Queen Anne's County in conformance with the Ordinance.

(6) Supervise enforcement of existing rules, regulations, and laws.

(7) Issue licenses and keep accurate records for all licensing procedures.

(8) Enter into agreement with Maryland licensed veterinarians for the care of animals under the jurisdiction of the Animal Control Commission.

(9) Cooperate with the Humane Society of Queen Anne's County for the humane care and treatment of all animals.

SECTION III Enforcement

The provisions of this ordinance and the rules adopted pursuant thereto by the Animal Control Commission shall be enforced by the Animal Control Warden or Wardens.

SECTION IV. Licensing

Application for all licenses required by this ordinance shall be made in writing to the Animal Control Commission or such agents including the County Treasurer as may be designated by the Animal Control Commission.

(a) No persons shall own, keep or harbor any dog within Queen Anne's County unless such dog is licensed as herein provided except as provided under Section XIV (EXEMPTIONS). The application for the license shall state name and address of the owner and name, breed, color, age, and sex of the dog, and shall be accompanied by a current certificate of rabies immunization. All dogs over the age of four months licensed in Queen Anne's County shall be periodically immunized against rabies by a licensed veterinarian or by an anti-rabies clinic authorized by the County Health Department in accordance with article 43 of the Maryland Code. Anti-rabies clinics may be operated by the County Health Department, which is hereby authorized to charge such reasonable fees as may be deemed necessary to defray the actual cost of such services. The license fee shall be paid at the time of making application, thereupon a receipt and a numbered identification tag shall be issued to the owner. These identification tags shall meet the requirements of the Maryland State Department of Health.

(b) The yearly license fee shall be four dollars (\$4.00) for each dog over the age of four months, payable on or before June 30th for each licensing year.

(c) Every kennel operator who wens, harbors, or keeps seven or more dogs over four months of age, shall maintain a valid kennel license, and pay an annual fee therefor of:

7 through 20 dogs-\$20.00

21 dogs and up-----\$40.00

All dogs kept as part of a kennel must meet the rabies vaccination requirements of Section IV, Items (a). Veterinary hospital or clinics where dogs are hospitalized, kennels belonging to local or state governmental agencies, and research facilities which are licenced by the the Federal law or where the opinion of the Animal Control Commission, are exempted from the license requirements of this ordinance. However, they shall register with the Animal Control Commission annually.

(d) Every pet shop shall maintain a valid pet license. The fee shall be Sixty Dollars (\$60.00) per year. Pets shops will not be required to have kennel licenses. Pet shops will be required to maintain satisfactory sanitary conditions and meet all the requirements which may be set forth for them by the County or State Department of Health or the Maryland Livestock Sanitary Service or the Animal Control Commission of Queen Anne's County. Pet shops will maintain a psittacine bird permit from the County Health Department and meet all requirements thereof, if psittacine birds are kept in the pet shop.

(e) All licenses and certificates of registration shall be issued for one year beginning with the first day of July. Applications for licenses and certificates may be made within sixty (60) days prior to July 1st, or within (30) days after a dog becomes four months of age, without penalty. Failure to secure valid licenses or certificated of the Five Dallors (\$5.00) fee instead of the usual Four Døllars (\$4.00) fee, or the one dollar (\$1.00) registration fee provided for under items (h) below. Individual appeals from penalties provided by this item may be filed in writing with the Animal Control Commission.

(f) In the event a license tag issued for a dog is lost, the owner may obtain a duplicate tag upon payment of Fifty Cents (\$.50).

(g) If there is a change in ownership of a dog, kennel or pet shop during the license year, the license shall be invalidated,

(h) In the event a dog has a valid license by another Maryland county which has the equivalent requirements for licensing and the owner becomes a resident of Queen Anne's County, a registration fee of One Dollar (\$1.00) will be charged.

(i) No person shall use for any dog license receipt, a license tag, or a rabies vaccination certificate issued for another dog.

(j) Guide or Seeing-Eye Dogs Exempt from Fees. If the license application disclosed that the dog for which a license is sought should be used as a guide-dog trained to aid the blind and it is

actually used for this purpose, the license will be issued without payment of any fee and the issuing agent shall record across the face of the license in red ink the words "Seeing-Eye Dog" Dogs so licensed will be exempt from any charge at State sponsored anti-rabies clinics.

(k) Police Dogs Owned by Government Agencies. If the application for licensure discloses that the dog for which a license is sought is a dog trained and used for police activities, the license will be ~~exempt~~ from any charge at State Sponsored anti-rabies clinics.

SECTION V. Tag and Collar

(a) Upon complying with the provisions of Section IV of this ordinance there shall be issued to the owners a license tag approved by the Maryland State Department of Health for this purpose.

(b) Every owner is required to see that the license tag is securely fastened to the dog's choke chain, collar, or harmless which must be worn by the dog at all times unless the dog is accompanied by its owner and is engaged in supervised hunting or other sport where a collar might endanger the dog's life or safety.

SECTION VI Sick or Injured Animals

(a) The Animal Control Warden shall cause to be collected all dead animals found on public grounds or highways and upon private Property abutting public highways if the owner of said property is not the owner of the animal and requests its removal. Any animal found in a critical condition from wounds, injuries or disease may at the discretion of the animal Control Warden or a Maryland licensed veterinarian, be destroyed if the owner cannot be found within a reasonable time. If the animal is suffering great pain, it may immediately be destroyed and the owner notified as soon as possible thereafter. The owner of any such injured or diseased animal shall upon notification pay for the burial or disposal of said animal and/or for the care and treatment of said animals.

(b) Those persons responsible for destroying animals or obtaining veterinarian services for animals as herein authorized to enter into agreements with Maryland licensed veterinarians for the care of injured or sick animals and pay the expense thereof if the owner cannot be located.

SECTION VII Impoundment

(a) A dog found without a license tag shall be taken by the Animal Control Warden to the Animal Control Shelter and there confined in a humane manner for a period of not less than three (3) days and if not redeemed within said period it shall become the property of the Animal Control Commission and shall be disposed of at the discretion of said Commission.

(b) The Animal Control Warden shall impound any licensed dog that is in his judgement stray or lost and any licensed dog that is sick or injured, if he cannot with reasonable effort locate the owner. Upon impoundment the Animal Control Warden shall make a diligent effort to locate and notify the owner of said impoundment.

These licensed dogs shall be confined in a humane manner for a period of not less than five (5) days and if not redeemed within said period shall thereafter become the property of the animal Control Commission and may be disposed of at the discretion of said Commission.

(c) Domesticated animals other than dogs may be impounded when found stray, abandoned, lost, injured, or sick and may be disposed of in accordance with procedures established by the Animal Control Commission.

SECTION VIII. REDEMPTION OF IMPOUNDED ANIMALS

The owner of any impounded dog or other animal shall be entitled to resume possession, except as hereinafter provided upon compliance with the license provisions of Section IV of this ordinance and payment of the redemption fees set forth herein. Proof of ownership may include license receipt, affidavits of neighbors, a photograph, or other valid evidence.

SECTION IX. REDEMPTION FEES

Any animal impounded hereunder may be reclaimed as herein provided upon payment of the sum of Five Dollars (\$5.00) for each animal by its owner to the Animal Control Commission. If it is the second time the animal has been impounded, the fee to reclaim the animal shall be Fifteen Dollars (\$15.00) and if it is the third time or more the animal has been impounded the fee to reclaim the animal shall be Twenty five (\$25.00) An additional charge for each calendar day will be added to the redemption fee for boarding the animal and for all expense of treatment and medicine. Redemption fees set forth herein and such additional sums as herein provided shall be collected for the animal Control Commission by the Animal Control Warden at the time the animal is reclaimed.

SECTION X. CONFINEMENT OF CERTAIN DOGS AND OTHER ANIMALS

(a) Any fierce or dangerous animal may be declared by the Animal Control Commission to be a "vicious animal" and shall be confined by the owner within a building or secure enclosure. Such animal shall not be taken out of such building or secure enclosure, unless securely muzzled or suitably controlled.

(b) Every female dog while in heat shall be kept confined in a building or secure enclosure by the owner in such a manner that she will not create a nuisance by attracting other animals.

(c) The Animal Control Commission and/or Animal Control Warden may on its own initiative or upon receiving a citizen's written complaint and after investigation, declare an animal to be a public nuisance animal. Unusual behavior of animals, such as excessive barking, whining, or howling, depositing excretory matter on public property, or on private property, other than that of its owner or damaging property other than that of the animal's owner, or the continual and habitual trespass on private property shall be deemed the behavior of a public nuisance animal. An animal having been declared a public nuisance animal shall, upon demand, be delivered by his owner to the Animal Control warden. It shall be unlawful for the owner of a public nuisance animal to refuse to surrender such animal to the Animal Control Warden.

A public nuisance animal which has been impounded by the Animal Control Warden may be redeemed by the owner only on those conditions established by the Animal Control Commission for that particular animal. In addition, the owner must pay those redemption fees provided in Section IX above.

(d) When in the judgement of the Animal Control Commission it is determined that an animal should be destroyed for humane reason, such animal may be destroyed without regard to any time limitation otherwise established.

SECTION XI. RABIES CONTROL

A report of the circumstances wherein a person is bitten by an animal shall be made promptly to the County Health Department by every person having first-hand knowledge of the occurrence of the bite. The owner of the animal shall be responsible to personally go to the Queen Anne's County Health Department within twenty-four hours (24) after the animal bites incident. The County Health Department will investigate the incident and if possible issue an order of confinement of the animal on behalf of the County Health Officer or for a period of at least ten (10) days and the animal shall not be released from confinement until the owner obtains a certificate from a licensed veterinarian and delivers same to County Health Office. Confinement may be on the premises of the owner if a responsible adult will sign an agreement for responsibility. The animal may also be confined at any animal shelter, veterinary hospital, or humane organization shelter at the owner's option and expense.

(a) When rabies has been diagnosed in an animal confined for clinical observation as provided by this ordinance, or rabies is suspected by a veterinarian, physician, or animal Control Warden and the animal immediately order the head removed and sent to the State Department of Health Laboratory in Baltimore for pathological examination. The investigating authority shall notify the health Officer of reports of humane and animal contacts.

(b) When the County Health Officer has been notified of a positive diagnosis of rabies, he shall immediately notify all area veterinarians. The Health Officer may impose an area-wide quarantine for a period of not less than sixty (60) days and as long as he deems necessary, and upon invoking such quarantine, no pet animal shall be taken into the streets or permitted to be the street unless properly leashed and accompanied by an adult during quarantine. During such quarantine, no animal shall be taken or shipped from its quarantine. During such quarantine, no animal shall be taken or shipped from its residence without written permission from the Maryland Public Health Veterinarian.

No animal, which has been impounded and is unclaimed by its owner, is allowed to be adopted from any animal shelter during the period of rabies emergency quarantine, except by special authorization of the Maryland Public Health Veterinarian.

(c) Dogs and other animals kept as pets that have been bitten by a known rabid animal may be destroyed, or if the owner is unwilling to destroy the exposed animal, strict isolation of the animal in a manner approved by the Maryland Public Health Veterinarian shall be enforced. If the dog or other animals have been previously vaccinated against rabies within time limits established by the Maryland State Department of Health based on the kind of vaccine used compliance with revaccination request and restraint shall be carried out in a manner approved by the Maryland Public Health Veterinarian.

(d) Any animal imported from an area in which a rabies quarantine has been imposed shall be held for observation in a matter approved by the Maryland Public Health Veterinarian.

(e) In the event there are any additional cases of rabies occurring during the period of the quarantine, such period of quarantine may be extended for additional period of time as established by the Maryland Public Health Veterinarian or Health Officer. During such quarantine, any farm animal suspected of having been exposed to rabies may be quarantined by the Maryland Public Health Veterinarian or the Director of the Maryland Livestock Sanitary Service. No quarantined farm animal may be moved from its place of residence without the written permission of the Director of the Maryland Livestock Sanitary Service and the Maryland Public Health Veterinarian, or his appointed deputy.

(f) No person shall kill, or cause to be killed, any rabid animal, any animal suspected of being rabid or of having been exposed to rabies, or any animal which has bitten a human, except as herein provided nor remove such animal from the jurisdiction of the County without the written permission of the Maryland Public Health Veterinarian or his appointed deputy.

(g) The carcass of any dead animal exposed to rabies shall upon demand be surrendered to an Animal Control Warden or others appointed by the County Health Office of the Maryland Public Health Veterinarian, and disposed of it accordance with the regulation of the State Department of Health.

SECTION XII. REPORTS OF BITE CASES.

Any hospital and/or physician who treats an individual for an animal bite shall within twenty-four (24) hours after the treatment, mail a report of said treatment to the Queen Anne's County Health Department Centreville, Maryland.

SECTION XIII. RESPONSIBILITIES OF VETERINARIANS

It shall be the duty of every veterinarian to report the Animal Control Commission and to the Maryland Public Health Veterinarian any animal considered by him to be rabid or a rabies suspect.

SECTION XIV. EXEMPTIONS

(a) The licensing requirements of this ordinance shall not apply to any dog belonging to a non-resident of the County and kept within the boundaries of the County for not longer than ninety (90) days, provided that all such dogs shall at the time of entry into

the County be properly vaccinated against rabies, and while kept within the County, meet all other requirements of this ordinance.

(b) Persons bringing dogs into the County will have readily available as proof of vaccination a valid rabies vaccination certificate signed by an accredited veterinarian or issued by an approved government agency. Animals without valid rabies vaccination certificates will be impounded and either be deported or vaccinated by a licensed Maryland veterinarian. Animals which may have had exposure to rabies must comply with the provisions set forth in Section XI of this ordinance.

(c) Dogs brought into the County for training by licensed Maryland kennels will be exempt from licensure, but must meet the rabies vaccination requirement of this ordinance.

Individual dogs, because of an illness, may be exempted from the rabies vaccination requirement of this ordinance for a period of not more than sixty (60) days, if a request signed by a licensed veterinarian is received by the Animal Control Commission prior to the owner's being in violation of this ordinance.

SECTION XV. HUMANE CARE

(a) All owners of animals shall provide such animals with sufficient food and water, suitable shelter, veterinary care when needed to prevent suffering and with humane care and treatment.

(b) No person shall poison any animal other than rodents.

(c) No person shall mistreat any animal in such manner as to cause suffering by such animal.

(d) No person shall abandon any animal.

SECTION XVI. INVESTIGATION

For the purpose of discharging the duties imposed by this ordinance and to enforce its provisions, the Animal Control Warden may enter any premises upon which it is suspected a violation of the provisions of the ordinance exists. It is further provided that the Animal Control Warden may enter the premises where any animal is kept or suspected of being kept in a reportedly cruel or inhumane manner and demand to examine such animal and to take possession of such animal, where, in their opinion, it required humane or medical treatment. A certificate from a Maryland licensed veterinarian must be obtained within twenty-four (24) hours and this certificate must enumerate the signs of inhumane treatment.

SECTION XVII. INTERFERENCE

No person shall interfere with, hinder or molest the Animal Control Warden in the performance of his duty.

SECTION XVIII. RECORDS

In the manner prescribed by the Animal Control Commission:

(a) It shall be the duty of the Animal Control Warden to keep or cause to be kept for three (3) years, accurate and detailed records of the licensing, impoundment and disposition of all animals coming into his custody.

(b) It shall be the duty of the Animal Control Warden to keep or cause to be kept for three (3) years, accurate and detailed records of the bite-cases reported to him and investigation of same.

(c) It shall be the duty of the Animal Control Warden to keep or cause to be kept for three (3) years, accurate and detailed records of all monies collected and expended within this program.

The Animal Control Commission shall make all such records open to inspection at reasonable times by authorized persons.

SECTION XIX. PENALTY AND PROSECUTION

Any person violating or refusing to comply with any of the provisions of this ordinance shall be guilty of a misdemeanor and, upon conviction thereof before any District Court or the Circuit Court shall be fined a sum of not less than Twenty Five Dollars (\$25.00) nor more than Two Hundred Fifty Dollars (\$250.00) Each Day of violation shall constitute a new offense. It shall be the duty of the State's Attorney and the Animal Control Wardens as the agents of the Animal Control Commission of the Queen Anne's County to prosecute all persons found violating the law or refusing to comply with its provisions.

APPEALS

(a) Any person shall have the right to appeal all decisions of Animal Control Wardens to the Animal Control Commission.

(b) Such appeals must be filed in writing with the Animal Control Commission within ten (10) days of the decision.

SECTION XX. DISPOSITION OF FINES

All fines imposed under this Ordinance shall be paid over the Treasurer of Queen Anne's County monthly.

SECTION XXI. SEVERABILITY

If any part of this Ordinance shall be held invalid such part shall be deemed severable, and shall not affect the validity of the remaining parts of this ordinance.

SECTION XXII. DOG ATTACKING ANIMALS OR HUMANS

Any person may kill any dog which he sees in the act of pursuing attacking, wounded or killing any poultry, livestock or other domesticated animals or attacking human beings, whether or not such dog bears the proper license tag required by the ordinance. There shall be no liability on such persons in damages or otherwise

for such killing.

SECTION XXX III EFFECTIVE DATE

1977. This Ordinance shall take effect and be in force on July 1, 1977.

ADOPTED this 19th day of April, 1977.

THE COUNTY COMMISSIONERS OF
QUEEN ANNE'S COUNTY

/s/ Leonard E. Smith, President
Leonard E. Smith, President

/s/ Julius Grollman
Julius Grollman

/s/ John M. Ashley Jr.
John M. Ashley Jr.

ATTEST:

/s/ Lynda H. Palmatary
Lynda H. Palmatary, Clerk

ORDINANCE 87.

In the matter of the Petition of Showell Growers Inc, for a change in zoning classification before the County Commissioners of Queen Anne's County Zoning Case no:

Upon motion by Mr. Smith, seconded by Mr. Ashley, it was unanimously resolved that the Comprehensive Zoning Ordinance of Queen Anne's County be amended as follows: Be it ordained that all of the lands described in the Petition for re-classification containing 16.199 acres, being Parcel No. 150 on Sectional Zoning Map No. 24 be re-classified from A-2 Agriculture-Conservation to M-2 General Industrial District.

Date: Nov. 28, 1978

County Commissioners for
Queen Anne's County

Attest: /s/ Lynda H. Palmatary
Lynda H. Palmatary

/s/ Julius Grollman
Julius Grollman

/s/ Leonard Smith
Leonard Smith

/s/ John M. Ashley Jr.
John M. Ashley Jr.

ORDINANCE 88

Motion made by Mr. Smith, seconded

In the matter of the petition of Kent Island limited partnership and of Yachting Associated for a change in zoning classification before the County Commissioners of Queen Anne's County Zoning Case No.

Upon motion by Mr. Smith, seconded by Mr. Ashley, it was unanimously resolved that the Comprehensive Zoning Ordinance of Queen Anne's County be amended as follows:

Be It Ordained that all of the lands described in the Petition for re-classification as containing 6,2667 acres and 5.4456 currently zoned M-1 (Industrial Park) are hereby re-classified to M-3 (Maritime District).

Date: Nov. 28, 1978

/s/ Lynda H. Palmatary
Lynda H. Palmatary, clerk

County Commissioners for
Queen Anne's County

/s/ Julius Grollman
Julius Grollman

/s/ Leonard E. Smith
Leonard E. Smith

/s/ John M. Ashley Jr.
John M. Ashley Jr.

ORDINANCE 88 A

IN THE MATTER OF THE PETITION OF THOMAS C. TANNER AND MARY FRANCES JEWELL, FOR A CHANGE IN ZONING CLASSIFICATION BEFORE THE COUNTY COMMISSIONERS OF QUEEN ANNE'S COUNTY ZONING CASE NO.

Upon motion by Mr. ashley, seconded by Mr. Grollman, it was resolved that the Comprehensive Zoning Ordinance of Queen Anne's County be amended as follows:

BE IT ORDANINED that all of the land described in the petition for re-classification, being 2.426 acres at the intersection of Cox Neck Road and Dervice Road, as described by a plat of J. R. McCrone, Jr., Inc., dated September, 1978, titled "Survey of Part of the Lands of Lillie V. Tanner, et al." is hereby re-classified from M-1 (industrial park) to B-1 (community business).

Date: Nov. 28, 1978

ATTEST:

/s/ Lynda H. Palmatary
Lynda H. Palmatary

County Commissioners for
Queen Anne's County

/s/ Julius Grollman

/s/ Leonard E. Smith

/s/ John M. Ashley Jr.

ORDINANCE 89

IN THE MATTER OF THE PETITION OF HILDA I. KELLY FOR A CHANGE IN ZONING CLASSIFICATION BEFORE THE COUNTY COMMISSIONERS OF QUEEN ANNE'S COUNTY.

It was moved by Mr. Ashley, seconded by Mr. Smith and unanimously resolved that the Comprehensive Zoning Ordinance of Queen Anne's County be amended as follows:

Be it Ordained that the lands described in the Petition, being Parcel No. 184 Block 10, Map 57 and the lands described as Parcel 185 Block 10, Map 57 and 2 plots of and one pkot of 1 acre more or less of Parcel No. 43 Block 10, Map 57 be re-classified from B-1 community Business to B-2 General Business.

Date: Nov. 28, 1979

ATTEST:

/s/Lynda H. Palmatary

COUNTY COMMISSIONERS OF
QUEEN ANNE'S COUNTY

/s/ Julius Grollman

/s/ Leonard E. Smith

/s/ John M. Ashley Jr

ORDINANCE 90

IN THE MATTER OF THE PETITION OF LESTER CARPENTER LEONARD, JR.
FOR A CHANGE IN ZONING CLASSIFICATION OF LANDS IN THE FIFTH
DISTRICT FROM A-2 AGRICULTURE CONSERVATION TO M-2 GENERAL INDUSTRIAL
BEFORE THE COUNTY COMMISSIONERS OF QUEEN ANNE'S COUNTY ZONING CASE
NO:

UPON motion by Mr. Benton, seconded by Mr. Sultenfuss, it was
unanimously resolved that the Comprehensive Zoning Ordinance be
amended as follows:

Bei it ordained that 3.44 acres of the lands fo Lester Carpenter
Leonard, Jr. as designated on a plat prepared by Russell R. Klages
& Assoc., dated Janary 1979, and marded Petitioner's Exhibit No.
3, be re-classified from A-2 Agriculture-Conservation to M-2
General Industrial, the balance of said parcel described in the
original petition to remain A-2 Agriculture Conservation.

Date: Febuary 27, 1979

ATTEST: Lynda H. Palmatary

County Commissioners for
Queen Anne's County

/s/ Leonard E. Smith

/s/ Lemuel H. Benton

/s/ Vernon B. Sultenfuss

ORDINANCE 91

IN THE MATTER OF ANENDMENT OF ZONING ORDINANCE TO ADD SECTION 6-220 BEFORE THE COUNTY COMMISSIONERS OF QUEEN ANNE'S COUNTY

Upon motion by Mr. Sultenfuss, seconded by Mr. Benton, it was unanimously resolved that the Comprehensive Soning Ordinance of Queen anne's County be amended as follows:

"Add to Article 6, as a subparagraph under paragraph 6.20 Conditional Uses.

6.220 Storage, sales and service of farm-related equipment and supplies; feed and grain mills including processing, storage, wholesaling and retailing of grain and grain products; cattle, hog chicken and other like farm animal and fowl slaughtering and processing plants including but not limited to the fian processing of the meats and the like, the processing of the animal by-products by-rendering, bone distillation and other accepted methods; or any other uses determined by the Board of Appeals to be agriculturally related and of the same general character, subject to two (2) times the distance requirements of Section 5.19, and to the following restrictions:

(a) NO use shall be permitted to be established or maintained which by reason of its nature, or manner of operation, is or may become detrimental to the environment; hazardous, objectionable, or offensive, by reason of excessive water demand, explosion, fire odor, dust, smoke, cinders, gas fumes, noise, vibration, radiation, refuse matter, runoff, or water-carried waste.

(b) Any such use shall be located on a road designated as a primary or secondary highway Plan of Queen Anne's County.

(c) Buffering and screening techniques shall be employed as required by the Board of Appeals."

DATE: February 27, 1970

ATTEST: /s/ Lynda H. Palmatary
Lynda H. Palmatary

County Commissioners for
Queen Anne's County.

/s/ Leonard E. Smith

/s/ Lemuel H. Benton

/s/ Vernon B. Sultenfuss

ORDINANCE 92

IN THE MATTER OF ANENDMENT OF ARTICLE 17.0242 OF THE ZONING
ORDINANCE BEFORE THE COUNTY COMMISSIONERS OF QUEEN ANNE'S COUNTY

Upon motion by Mr. Benton, seconded by Mr. sultenfuss, it was
a unanimously resolved that the Article 17, Subparagraph 17.024.
be amended as follows:

"Article 17, Subparagraph 17.024. Delete the words "occupy a required
front yard or side yard on the street side of a corner lot, or"
and re-ordain said Subparagraph to read as follows:

Article 17.0242--- No part of any parking space shall be closer
than five (5) feet to any established road right of way."

Date: February 27, 1979

ATTEST: Lynda H. Palmatary

County Commissioners for
Queen Anne's County

/s/ Leonard E. Smith

/s/ Lemuel H. Benton

/s/ Vernon B. Sultenfuss

ORDINANCE 93

IN THE MATTER OF THE PETITION OF JOSEPH E. KELLY, III, ET AL.,
FOR A CHANGE IN ZONING CLASSIFICATION BEFORE THE COUNTY COMMISSIONERS
OF QUEEN ANNE'S COUNTY

Upon motion by Mr. Benton, seconded by Mr. Smith it was unanimously
resovledthat the Comprehensive Zoning Ordinance of Queen Anne's
be amended Petition containing five acres of land, more or less
all situated on the north side of Maryland Route No. 300 and fronting
on said Maryland Route No. 300 approximately 650 feet, more or less
being further designated on Petitioners Exhibit No. 4, is hereby
re-classified from A-1 Agriculture to B-2 General Business.

DATE: May 29, 1979

ATTEST: /s/Lynda H. Palmatary

COUNTY COMMISSIONERS
QUEEN ANNE'S COUNTY

/s/ Leonard E. Smith

/s/ Vernon B. Sultenfuss

/s/ Lemuel H. Benton

ORDINANCE 94

IN THE MATTER OF AMENDMENT TO SECTION 19.23 Zoning Ordinance before the County Commissioners of Queen Anne's County.

After consideration of all the testimony and exhibits it was moved by Mr. Smith and seconded by Mr. Benton and unanimously resolved that the Comprehensive Zoning Ordinance be amended as follows:

that Section 19.23 be amended as to read:

19.23 Issuance of A Zoning Certificate shall be withheld until the building of the necessary work thereon has been completed in accordance with the provisions of this Ordinance. No work shall be commenced however, before the issuance of a building permit therefor, showing that application has been made for a Zoning Certificate and that the building or part thereof conform with the provision of this Ordinance. No such permit shall be issued until all necessary certificates have been issued by (a) the County Health Officer approving the proposed water supply and waste disposal facilities, (b) the County Roads Engineer or State Roads Commission District Engineer, as the case may be, approving the location and design of any driveways and drainage structures that are to connect with any public roads under the respective jurisdiction, (c) the Department of Public Works and any other agency or official whose regulations govern any aspects of the proposed work. No construction work shall be started before the lot and the location thereon of the projected building or other improvements have been staked out on the ground for inspection by the Zoning Administrator.

Date; May 29, 1979

ATTEST: Lynda H. Palmatary
/s/ Lynda H. Palmatary

QUEEN ANNE'S COUNTY
COMMISSIONERS

/s/ Leonard E. Smith

/s/ Vernon B. Sultenfuss

/s/ Lemuel H. Benton

ORDINANCE 95

IN THE MATTER OF AMENDMENT TO SECTION 20.441 (e) ZONING ORDINANCE
BEFORE THE COUNTY COMMISSIONERS OF QUEEN ANNE'S COUNTY

After consideration of the testimony and exhibits it was moved by
Mr. Benton and seconded by Mr. Sultenfuss and unanimously resolved
that the Comprehensive Zoning Ordinance be amended as follows:

That existing Section 20.441(e) be amended to read:

20.441(e) "Accessory buildings, structures and uses in the front,
side or rear yard on any lots"

Date: May 29, 1979

ATTEST: /s/Lynda H. Palmatary
Lynda H. Palmatary

COUNTY COMMISSIONERS OF
QUEEN ANNE'S COUNTY

/s/ Leonard E. Smith
Leonard E. Smith

/s/ Vernon B. Sultenfuss
Vernon B. Sultenfuss

/s/ Lemuel H. Benton
Lemuel H. Benton

ORDINANCE 96

IN THE MATTER OF AMENDMENT TO ARTICLE 12 (R-5 District) PARAGRAPH 12.50 ZONING ORDINANCE BEFORE THE COUNTY COMMISSIONERS OF QUEEN ANNE'S COUNTY

After consideration of the testimony and exhibits it was moved by Mr. Sultenfuss, seconded by Mr. Benton and unanimously resolved that the comprehensive Zoning Ordinance be amended as follows:

That the existing Section 12.50 is hereby amended to read as follows:

Article 12

"R-5" General Residence District

Paragraph 12.50- Lot Area and Width and Floor Area Requirements.

Change sentence which reads:

"Other Permitted Uses. Same as specified in the "R-1" District" to read as follows:

"Other Permitted Uses. Same as specified in the R-2 District".

DATE: May 29, 1979

Attest: Lynda H. Palmatary
Lynda H. Palmatary

COUNTY COMMISSIONERS FOR
QUEEN ANNE'S COUNTY

²⁵⁹
/s/ Leonard E. Smith
Leonard E. Smith

/s/ Vernon B. Sultenfuss
Vernon B. Sultenfuss

/s/ Lamuel H. Benton
Lamuel H. Benton

ORDINANCE 97

In the matter of amendment to Section 3.05 ECT. To the zoning ordinance before the County Commissioners of Queen Anne's County.

After consideration of all the testimony and exhibits it was moved by Mr. Benton, seconded by Mr. Sultenfuss and unanimously resolved that the Comprehensive Zoning Ordinance be amended to read, as follows:

1. Delete Section 3.05 and Substitute in lieu thereof:

"3.05 - Billboards and Signs:

A. Area (of a sign); the entire area within a circle, triangle, or rectangle enclosing the extreme limits of all writing, illustration, emblem or figure, together with a by frame or other material or color forming an integral part of the display or used to distinguished the sign from the background against which it is placed. Where a sign has two or more faces, the area of all faces shall be included in determining the area of the sign, except that where two such faces ate placed back-to-back and are at no point more than two [2] feet from one another, the area of the sign shall be taken as the area of one face if the two faces ate of equal area, or as the area of the larger face if athe two faces are of unequal area. Where a sign consists solely of lettering or other sign elements printed or mounted on a walll of a building without any distinguishing border, panel or background, any blank rectangler area which is more than ten per cent [10%] of the area of the sign as otherwise computed shall be disregarded. All of the lettering and other sign elements printed or mounted upon a wall of a building without distinguishing border, panel, or back-ground and pertaining to the same enterprise shall be reated as a single sign for the purposes of area computation.

B.-Billboard: Any sign, situated on private premises on which lettered, figured, or pictorial matter is displayed for advertising purposes, other than the names and occupation of the user of such premises or the nature of the business thereon or the prinipal products sold or manufactured theron.

C.-Business Sign: Any accessory sign which advertises only goods, services, facilities, events or attractions available on the premises where located, or identifies the owner or occupant or directs traffic on the premises.

D.-Directional Sign: Any accessory sign displaying only name, nature, and location of (a) one or more establishments located in Queen Anne's County which offer travelers accommodations, meals, supplies, and similar services or locally products specialties, or (b) real estate establishments, industries, churches, parks, historical shrines, monuments, buildings, or other features or institutions of note, located in Queen Anne's County - erected and maintained for the convenience of tokurists.

E.-Height (of a sign): The total height above the pre-vailing grade at its location, or above the grade of the adjacent road, whichever is higher.

F.-Identification Sign: An accessory sign advertising only the name of the premises on which it is located, the user

of the premises, and the nature of the business conducted thereon.

G.-Sign: Any writing, illustration, emblem, display image, or other figure which is affixed to, painted, or represented directly or indirectly upon a building, structure or piece of land and which is visible from any street, right-of-way, sidewalk, alley park, or other public property. Customary displays of merchandise or objects and material without lettering placed behind a store window are not signs or parts of signs.

2. Delete Section 17.06 and substitute in lieu thereof the following:

17.06-Billboards and Other signs. It is hereby determined that regulation of the location, size, placement and certain features of signs is necessary to enable the public to locate goods, services and facilities without difficulty and confusion, to prevent wasteful use of natural resources in competition among business for attention to prevent hazards to life and property, to assure the continued attractiveness of the county, and to protect property values. It is further determined that signs which may lawfully be erected and maintained under the provisions of this ordinance are consistent with customary usage, and that signs which may not lawfully be erected or maintained under the provisions thereof are not consistent with customary usage, are an abuse thereof and are an unwarranted invasion of the right of legitimate business interests and of the public. Therefore, all billboards and signs shall be regulated as follows:

17.061-Billboard, where permitted, shall comply with the following:

17.0611-No billboard shall have more than two hundred (200) square feet of copy area per facing, and the trim shall not exceed forty (40) percent of the copy area. No such sign shall have an over-all height of more than twenty (20) feet above ground level, or twenty (20) feet above the grade level of the adjacent road if higher. Not more than one such billboard shall be erected at any one location and facing the same direction.

17.0612-No billboard shall be located less than three hundred (300) feet from any billboard on the same side of the road except when such sign is part of a double-faced or "V" type structure where the interior angle of the "V" does not exceed forty-five (45) degrees; nor shall any billboard be located less than one hundred (100) feet from any "A" or "R" District or three hundred (300) feet from any public or parochial school, park, library, church, historical shrine, or other building or landmarks maintained as such by a public or semi-public agency.

17.0613-Billboards shall be set back at least as far as the required front yard depth for a principal building, except that at an intersection along any state or county highway the setback of any billboard on unimproved land shall be at least one hundred (100) feet from each highway and intersecting road.

17.062-Business signs, where permitted, shall comply with the following:

17.0621- No such sign shall project into or over any

street right-of-way, or extend more than five (5) feet above the parapet wall or roof line, if mounted on a building.

17.0622-The total area of all such signs shall not exceed four (4) square feet for each linear foot of the building wall most nearly parallel to or fronting the adjacent street. Only one side of the building shall be used in computing the sign area allowance except that on a corner lot the area may be increased by twenty-five (25) percent. In no case shall the area of any sign exceed 150 square feet.

17.0623-No freestanding sign shall exceed twenty-five (25) feet in height.

17.0624-Where the premises have more than two occupants and have a name distinct from that of the occupant as in a shopping center, an additional fifty (50) feet of a side lot line shall adhere to the required front yard for the district in which it is located. All other yard requirements shall be the same as for principal buildings in the district where such signs are located.

17.0626-One freestanding sign shall be permitted for each street frontage of the premises. Other signs must be integral with painted or project on, or attached to the building in accordance with these regulations. Where the lot adjoins an "R" District, any exterior sign within fifty (50) feet thereof shall be attached flat against the front of the building.

17.0627-The permitted area of a business sign may be increased according to the following schedule if the sign is more than fifty (50) feet from the street line:

<u>Distance in Feet</u>	<u>Permitted Increase</u>
50-100	10%
100-150	20%
150-200	30%
200-250	40%
250 or more	50%

17.063-Directional Signs; where permitted, shall comply with the following:

17.0631-Such signs shall not exceed ten (10) feet in height.

17.0631-Such signs shall be limited in number to one for each route leading to as established and shall not be located more than five (5) miles from the subject use.

17.0634-No such sign shall be located less than three hundred (300) feet from any other such sign on the same side of the road, or less than two hundred (200) feet from any dwelling, school church, institution for human care, or public or semi-public building, shrine or cemetery (unless pertaining to such building or use).

17.064-Identification Signs, where permitted shall comply with the following:

17.0641-One (1) identification sign shall be permitted for each street frontage of the premises.

17.0642- Such signs shall comply with all yard requirements for principal buildings in the district in which they are located.

17.0643- Identification signs in the "M-0", "M-I"- and "M-2", Districts shall not exceed one hundred fifty (150) square feet in area or ten (10) feet in height.

17.0644-Identification signs for home occupations shall not exceed two (2) square feet in area and shall be mounted flat against the building. Such signs shall be non-illuminated or indirectly illuminated.

17.065-Billboards and Signs. General Requirements.

17.0651-Exemptions. The following signs shall be exempt from regulation under this ordinance, and no permits will be required thereof; non-illuminated signs having an area of not more than two (2) square feet, the message of which is limited to conveying street number, the name of the premise, the name of the owner of the premises and name of the occupant of the premise; non illuminated signs having an area of not more than six (6) square feet each, the message of which is limited to warning of any danger, prohibition or regulation of the use of the property or traffic or parking thereon, or advertising the premise for sale or rent; the flag of any state or nation respectfully displayed; signs located on rolling stock of common carriers or on motor vehicles or trailers bearing current license plates which are travelling or lawfully parked but not for the purpose of the display of any signs; church or institutional bulletin boards without interior illumination having an area not exceeding thirty-two (32) square feet; on-premise signs located inside an enclosed building and visible through a window or windows thereof, where the area of such signs does not exceed 20% of the area of the window or windows; on any election day, signs advocating or opposing a candidate for public office or a position on an issue to be determined at the election located at least one-hundred (100) feet and not more than two-hundred (200) feet from any entrance to a building in which a polling place is located; labels identifying the source, brand name or manufacturer of merchandise exhibited for sale; sign indicating only the date of erection of a building sign posted by duly constituted public authorities in pursuance of their public duties; changing of the copy on a bulletin board, poster board, display encasement or marquee; temporary non-illuminated signs not more than thirty-two (32) square feet in area erected in connection with new construction work and displayed on the premises (one for each street frontage) during the time of actual construction; temporary non-illuminated signs not exceeding sixteen (16) square feet in area advertising vegetables, fruit, and other farm produce grown on the premises, not exceeding two (2) such signs per premise; temporary non-illuminated signs identifying crops being grown on farms.

17.0652-Temporary signs. The Zoning Administrator upon application, may issue temporary permits for the following signs and displays for a period not exceeding ninety (90) days, when in his opinion the use of such signs and displays would be in the public interest and would not result in damage to private property:

(a) Signs advertising a special civic or cultural event such as a fair or exposition, play, concert, or meeting sponsored by a governmental, charitable or cultural organization.

(b) Special decorative displays used for holidays, public demonstration or promotion for nonpartisan civic purposes.

(c) Special sales promotion displays in a district where such sales are permitted, including, incidental to opening a new business, or a seasonal business.

(d) Signs advertising the property for sale or rent on which they are located exceeding six (6) ft. in area.

17.0653-Restriction on Movement. Pennants, banners, streamers and all other fluttering, spinning, or similar type signs and advertising devices are prohibited except for national flags and flags

of political subdivisions of the United States and except for flags of bona fide civic, charitable, fraternal, and welfare organizations, provided that during nationally recognized holiday periods, or during a special civic event, pennants, banners, streamers, and other fluttering, spinning, or events similar type advertising devices pertaining to said periods or events may be displayed by temporary permit as provided above in this Article.

17.0654-Illumination and Traffic Safety. No sign shall be located so as to obstruct or conflict with traffic sight lines or traffic control lines or signals, especially at intersections. Signs visible from a public road shall not contain the word "stop" or "danger" or otherwise simulate traffic control or other official sign. No lighting shall be permitted of signs or for advertising purposes, which is of a flashing, intermittent, rotating or other animated type, or which simulates that of any police or emergency vehicle, or which tends to blind or distract an approaching motorist or shine directly into any dwelling in an "R" District.

17.0655-Permitted signs for an on-conforming use shall consist of those signs permitted in the district in which use is first permitted.

17.0656-No signs shall be attached to trees or utility poles.

17.0657-All signs shall be in good, safe condition and appearance. Signs which show gross neglect or become delapidated shall be deemed to be in violation of this ordinance.

17.0661- No sign, unless herein excepted, shall be erected, constructed, structurally altered, or relocated, except as provided in the article and in these regulations until a permit has been issued by the Zoning Administrator. Before any permit is issued, an application especially provided by the zoning Administrator shall be filed together with such drawings and/or specifications as may be necessary to fully advise and acquaint the Zoning Administrator with the location, construction, materials, manner of illuminating and/or securing or fastening, and number of signs applied for, and the wording of the sign or advertisement to be carried on the sign. All signs which are electrically illuminated shall require a separate electrical permit and inspection. All signs shall be erected on or before the expiration of thirty (30) days from the date of issuance of the permit; otherwise the permit shall become null and void and a new permit shall be required. Each sign requiring a permit shall be in accordance with the schedule set by the County Commissioners, a copy of which is maintained in the office of the Administrator.

17.0662-Structural and safety features and electrical systems shall be in accordance with the requirements of the applicable codes and ordinance. No sign shall be approved for use unless it has been inspected by the department issuing the permit and is found to be in compliance with all the requirements of this ordinance and applicable technical codes.

17.0663-Violations of Sign Regulations. The Zoning Administrator shall remove or cause to be removed any sign erected or maintained in conflict with these regulations if the owner or lessee of either the site or the sign fails to correct the violation within thirty (30) days after receiving written notice of violation from the Administrator. Removal of a sign by the Zoning Administrator shall not affect any proceedings instituted prior to removal of such signs. The foregoing remedy shall be in addition to those provided in Article 19 of this ordinance.

17.0664-Non-Conforming Billboards. Because the foregoing regulations governing billboards are the same as those originally adopted as part of the Zoning Ordinance on July 16, 1964, the provisions of Article 5, of this ordinance governing non-conforming billboards shall apply. Specifically, any billboards not complying with these regulations which were erected prior to June 16, 1964, will be considered non-conforming as of that date, and thus subject to the provisions of Section 5.0322 of this ordinance.

17.0665-Other Non-Conforming Signs. Signs (other than billboards) which were in existence prior to date of this amendment may continue to be maintained exactly as they existed at that date. No such sign, however,

(a) shall be changed to another non-conforming sign;
 (b) Shall have any changes made the the words or symbol used or the message displayed on the sign unless the sign is specifically designed for periodic changes of messages (such as bulletin boards or movies marquees).

(c) Shall be structurally altered so as to prolong the life of the sign or so as to change the shape, size, type, or design of the sign:

(d) Shall be re-established after damage or destruction if the estimated expense of reconstruction exceeds fifty (50) percent of the cost of replacement of the entire sign.

17.0666-Board of Appeals. The Board of Appeals may grant variances from all provisions herein pertaining to signs upon the grounds set forth in Article 20 of this Ordinance.

3. Amend other provisions as follows:

a. 6.108-Directional Signs in accordance with the provisions of Section 17.06.

b. 6.203- delete the last sentence

c. 6.307-delete in entirety and foregoing to stand in lieu thereof:

1. 6.307-Identification Signs in accordance with the provisions of Section 17.06

d. 6.308-Delete completely

e. Renumber section 6.309 to 6.308

f. Renumber section 6.310 to 6.309

g. 7.107- amend to read as follows:

1. 7.107-Directional signs in accordance with the provisions of section 17.06

h. 8.304-delete section 8.304 and place in lieu there of the following.

1. 8.304- Identification signs in accordance with the provisions of section 17.06

i. 8.305- Delete entire section

j. 8.306 Delete entire section

k. 9.302- amend by deleting last sentence

l. 13.202 Business signs accessory to a use first permitted in the B-1 District in accordance with the provisions of section 17.06

m. 13.203 Delete and place in lieu thereof the following:

1. 13.203- Identification Signs in accordance with provisions of Section 17.06.

n. 14.A.302- Delete and place in lieu thereof the following

1. 14.A.302- Identification signs in accordance with the provisions of Section 17.06

o. 15.302-Delete and place in lieu thereof the following

1. 15.302 Identification signs in accordance with the

provisions of Section 17.06.

ATTEST;
/s/Lynda H. Palmatary

/s/ Leonard E. Smith

/s/ Vernon B. Sultenfuss

/s/ Lemuel H. Benton

County Commissioners of
Queen Anne's County



ORDINANCE 98

An Ordinance to levy Special Assessments against specified properties in the area of the subdivision known as "Castle Marina" Fourth Election District, for benefits from the construction of a public road to County specification, the property subject to said special assessments, the amount and method of determination of the assessments, the time same is due, how payable and how collectible.

Section one. Be it ordained by The County Commissioners for Queen Anne's County, by virtue of the powers granted it by Section 22-11 of the Public Local Laws of Queen Anne's County, being Chapter 828 of the laws of 1976, does hereby levy a special assessment for the benefits derived from the construction of a public road to county specifications in the area known as "Castle Marina" Kent Island, Fourth Election District, Queen Anne's County, said properties abutting and fronting on said public road with the following boundaries, to wit:

1. All lots and land on Tackle Circle
2. All lots and land on Anchor Lane
3. All lots and land on Pilot Court, Skipper Court and Captain's Way
4. All lots and land on Skipper Lane
5. All lots and land on Cox's Neck Road extends from Lot 1, Section C, Castle Marina, and land to the west of said road from the termination of the present county public road (Cox's Neck) to the intersection of Tackle Circle.

Section two. Be It Further Ordained that the method of assessment shall be the front foot rule of apportionment, that all properties will be considered in the same class, that any land assessed that fronts on two roads described hereunder shall be assessed for two thirds of its total road frontage.

Section three. Be It Further Ordained that the price per front foot to be assessed is \$7.27 per foot.

Section four. Be It Further Ordained that the total assessments on each parcel or lot may be paid in ten annual installments commencing on September 1, 1979, any unpaid principal to bear interest at 8 per cent per annum, or may be paid in full or in part on any date provided all annual payments are made as above provided and in the event of transfer or conveyance of the real estate benefitted or any part thereof from the names of the original parties assessed, the outstanding principal and interest shall be due and payable in full. All assessments shall be in arrears three (3) months after they are due and payable, shall be a lien on the property and shall be collected by suit at law, or in the same manner prescribed for collection of real estate taxes.

Section five. Be It Further Ordained that all payments shall be made to the Treasurer of Queen Anne's County who shall account for the same in a ledger to be titled "Special Assessments Road" and the sub-title of this ordinance assessment shall be "Castle Marina"

Section six. And Be It Further Ordained that this Ordinance shall take effect from the date of its passage.

Adopted:

July 17, 1979

Attest:

/s/Lynda H. Palmatary

County Commissioners for
Queen Anne's County

/s/ Leonard E. Smith

/s/ Lemuel H. Benton

/s/ Vernon B. Sultenfuss

ORDINANCE 99

AN ORDINANCE authorizing Queen Anne's County to enter into a Participation Agreement with the Department of Transportation of Maryland for the purpose of securing the payment of the principal of and interest on bonds to be issued by the Department of Transportation of Maryland pursuant to Sections 3-301 to 3-309, inclusive, of the Transportation Article of the Annotated Code of Maryland, as amended to the effective date hereof, to be designated "Department of Transportation-County Transportation Bonds-First Issue, Third Series" (the "Bonds"); and authorizing Queen Anne's County to participate in the proceeds of the Bonds; and authorizing the officers of Queen Anne's County to take such further action as may be necessary and proper to consummate the executive and delivery of the Participation Agreement and the issuance and sale of the Bonds.

WHEREAS, pursuant to Sections 3-301 to 3-309, inclusive, of the Transportation Article of the Annotated Code of Maryland, as amended to the effective date hereof (the "Act") the Department of Transportation of Maryland (the "Department") is authorized to issue bonds in order to enable the several counties of the State and Mayor and City Council to accelerate programs of construction and reconstruction, to provide local participating funds for federally aided transportation projects, to provide funds generally to finance the capital cost of transportation facilities and to make major repairs of county roads; and WHEREAS, Queen Anne's County (the "County") has notified the Department of its desire to participate in the sale of Department of Transportation-County Transportation Bonds-First Issue, Third Series (the "Bonds") to be issued during the fiscal year beginning July 1, 1980; and

WHEREAS, the Department has approved the County's participation in the proceeds of the Bonds in an amount not to exceed \$800,000; and

WHEREAS, Section 3-307 of the Act requires that the Department and the County enter into an agreement as more particularly described therein; and

WHEREAS, the County has determined that it would be in the public interest to enter into such an agreement and participate in the proceeds of the Bonds in order to provide the County with funds to undertake roads and transportation projects for which there is a current need but for which funds are not currently available.

SECTION 1. Be it enacted by the County Commissioners of Queen Anne's County, that the proposed Participation Agreement to be entered into between the County and the Department, in substantially the form attached hereto and made a part hereof as Exhibit "A", be and it is hereby approved; and that the President of the Board of County Commissioners of Queen Anne's County is hereby authorized and directed to execute the proposed Participation Agreement on behalf of the County, in substantially the form attached hereto and made a part hereof, with such changes and insertions as he shall deem to be in the best interests of the County, and his execution of the proposed Participation Agreement shall constitute conclusive evidence of his approval of the final form thereof.

SECTION 2. And be it further enacted, that the President of the Board of County Commissioners of Queen Anne's County and the other officers of the County are hereby authorized to take such other and further action as may be necessary and proper to consummate the transaction contemplated by the proposed Participation Agreement, including the issuance and sale by the Department of the Bonds.

SECTION 3. And be it further enacted, That the County is hereby authorized to participate in the proceeds of the Bonds in an aggregate principal amount not to exceed \$800,000.

SECTION 4. An be it further enacted, That this Ordinance shall take effect from the date of August 12, 1980.

PASSED: August 12, 1980

COUNTY COMMISSIONERS OF
QUEEN ANNE'S COUNTY

/s/ Leonard E. Smith
LEONARD E. SMITH, PRESIDENT

/s/ Lemuel H. Benton
LEMUEL H. BENTON

/s/ Vernon B. Sultenfuss
VERNON B. Sultenfuss

/s/ Lynda H. Palmatary
Lynda H. Palmatary, Clerk

ORDINANCE 100

A RESOLUTION of the County Commissioners of Queen Anne's County to amend and supplement its resolution of July 22, 1980, which authorized the issuance and sale of a general obligation installment bond to United States of America, Farmers Home Administration for the purpose of financing a portion of the cost of constructing the Kent Narrows/Stevensville/Grasonville sewerage system, to reduce the principal amount of the bond issue, to revise the payment schedule relating to the bond, and to provide that the form of the bond be revised to reflect these changes.

RECITALS

1. By a resolution adopted on July 22, 1980, (the "Resolution"), County Commissioners of Queen Anne's County, a body politic and corporate and a political subdivision of the State of Maryland (the "County"), authorized the issuance and sale of its \$3,169,900 Queen Anne's County Sanitary District Bonds (the "Bonds") to the United States of America, Farmers Home Administration ("FmHA") for the purpose of financing a portion of the cost of developing and constructing a sewage collection treatment and disposal system to serve the Kent Narrows/Stevensville/Grasonville Area Wastewater Subdistrict of the Queen Anne's County Sanitary District (the "Project").

2. Subsequent to the adoption of the Resolution, the County received a long-term loan from the State of Maryland in the amount of \$500,000, as well as certain increases in the amount of the Environmental Protection Agency grant relating to the Project and has refined cost estimates as work on the Project has progressed, with the result that the County now estimates that it can reduce the amount borrowed from FmHA, and the principal amount of the Bonds, from \$3,169,900 to \$2,300,000.

3. Subsequent to the adoption of the Resolution, FmHA agreed to defer for an additional eighteen months the County's first payment of principal on the loan for which the Bonds are to be issued so that the

first payment of principal shall be due and payable on the date twenty-four months following the date of delivery of the Bonds.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNTY COMMISSIONERS OF QUEEN ANNE'S COUNTY:

Section 1. It is hereby determined that the principal amount of the Bonds to be issued and soled under the Resolution and this supplemental resolution shall be Two Million, Three Hundred Thousand Dollars (\$2,300,000).

Section 2. The principal of and interest on the Bonds shall be paid in seventy-seven (77) semiannual installments of \$67,597.00 each. The first such installment of principal and interest shall be due and payable on the date Twenty-four months following the date of the delivery of the Bonds, and subsequent installments of principal and interest shall be payable at six-month intervals thereafter until the principal of and interest on the Bonds are fully paid. Payments of interest only shall be due and payable on the dates six months, twelve months and eighteen months following the date of delivery of the Bonds.

Section 3. The form of bond set forth in Section 6 of the Resolution is hereby modified and amended to include and reflect the changes provided for in Sections 1 and 2 of this supplemental resolution, and the Bonds, when prepared in final form, shall also include and reflect these changes.

Section 4. Except as modified and amended herein, all provisions of the Resolution, including without limitation the covenant to pay contained therein, shall continue in full force and effect and are hereby ratified, affirmed and approved.

Section 5. This supplemental resolution shall be effective upon its adoption and the Clerk shall immediately file an executed copy with the Clerk of the Circuit Court for Queen Anne's County and shall cause the title, which constitutes a fair summary of this supplemental resolution, to be published in a newspaper of general circulation in the County.

Adopted and certified this 16th day of December, 1980.

COUNTY COMMISSIONERS OF QUEEN ANNE'S COUNTY

ATTEST:

/s/ LINDA H. PALMATARY
CLERK

/s/ LEONARD E. SMITH
PRESIDENT

/s/ LEMUEL H. BENTON
COMMISSIONER

/s/ VERNON B. SULTENFUSS
COMMISSIONER

QUEEN ANNE'S COUNTY
AGRICULTURAL LAND PRESERVATION ORDINANCE

WHEREAS, the Agricultural Article, § 2-501 through 2-515, Annotated Code of Maryland, established the Maryland Agricultural Land Preservation program; and

WHEREAS, Queen Anne's County, Maryland contains productive agricultural land and has appointed a Queen Anne's County Agricultural Preservation Advisory Board in accord with the Agriculture Article § 2-504.1 on June 13, 1978, this satisfying County eligibility requirements for the voluntary participation of Queen Anne's County landowners whose land meets eligibility criteria established by Maryland Agricultural Land Preservation Foundation Regulations and any locally adopted criteria, as hereinafter adopted; and

WHEREAS, Queen Anne's County wishes to provide for the voluntary establishment of and protections for Agricultural Preservation Districts and for the voluntary sale of development rights easements on eligible agricultural lands within the County.

Now, therefore, be it resolved that the following ordinance shall become effective on the 6th of January 1981.

SECTION 1. AGRICULTURAL PRESERVATION DISTRICTS - PROTECTION OF NORMAL AGRICULTURAL ACTIVITIES.

In accord with statutory provisions referenced above, Agricultural Preservation Districts may be established in Queen Anne's County. Such Districts shall provide for the protection of normal agricultural activities in the Districts through the following provisions:

- (a) Any farm use of land is permitted.
- (b) Operation at any time of machinery used in farm production or the primary processing of agricultural products is permitted.
- (c) Normal agricultural activities and operations in accordance with good husbandry practices, which do not cause bodily injury or directly endanger human health, are permitted and preferred activities including activities which may produce normal agriculturally-related noise and odors.
- (d) The sale of farm products produced on the farm where the sales are made is permitted.

These provisions are applicable to all Queen Anne's County Agricultural Preservation Districts established in accord with the Agriculture Article, Annotated Code of Maryland.

SECTION 2. AGRICULTURAL PRESERVATION DISTRICTS - OFFICIAL MAPS.

Official maps of Agricultural Preservation Districts shall be located at the Office of Planning and Zoning and shall be revised from time to time to reflect the establishment, alteration and abolition of Agricultural Preservation District boundaries. The official maps shall be made current at least once a year by June 30th of each year and shall be published at the same scale as the Department of Assessment and Taxation tax maps.

SECTION 3. AGRICULTURAL PRESERVATION DISTRICTS - ESTABLISHMENT.

In accord with the Agricultural Article § 2-501 through 2-515 and with Maryland Regulations 15.17.01 Agricultural Preservation District establishment shall be accomplished by this ordinance, only upon formal notification to the County Commissioners of Queen Anne's County by the Maryland Agricultural Land Preservation Foundation. Such notification shall include a copy of the Agricultural Preservation District Agreement signed by all parties and as recorded among the land records of Queen Anne's County.

All such District Agreements together with property descriptions shall be maintained in an official file and be available from the Office of Planning and Zoning, County Annex Building, Banjo Lane, Centreville, Maryland.

THE COUNTY COMMISSIONERS
OF QUEEN ANNE'S COUNTY


LEMUEL H. BENTON, PRESIDENT


VERNON B. SULTENFUSS


LEONARD E. SMITH

DATE: January 6, 1981

ATTEST:


LYNDA H. PALMATARY, CLERK

RESOLUTION

A RESOLUTION to indicate the present intent and commitment of County Commissioners of Queen Anne's County to issue revenue bonds for Bar Gale Industries, Incorporated, pursuant to Sections 266A through 266-I, inclusive, of Article 41 of the Annotated Code of Maryland (1978 Replacement Volume and 1980 Cumulative Supplement) or such other statutory authority as may be effective when the bonds are issued; to authorize the execution and delivery of a letter of intent evidencing the intent of County Commissioners of Queen Anne's County to issue such revenue bonds; and generally to determine various matters in connection with the issuance, sale, delivery, security and payment of such bonds.

RECITALS

Sections 266A through 266-I, inclusive of Article 41 of the Annotated Code of Maryland (1978 Replacement Volume and 1980 Cumulative Supplement) (the "Act") empower the counties and municipalities of the State of Maryland (the "State") to issue industrial development revenue bonds and to loan the proceeds of the sale of such revenue bonds to an industrial concern to finance the acquisition by such an industrial concern of an industrial building or buildings, as defined in the Act.

The federal Income Tax Regulations prescribe that the issuer of such bonds either adopt a bond resolution with respect to such bonds or take some other similar official action toward the issuance of such bonds prior to the commencement of construction or acquisition of such facilities.

County Commissioners of Queen Anne's County, a body politic and corporate of the State of Maryland considers the "acquisition" (as defined in the Act) of the industrial building or buildings described in Exhibit A to this Resolution (the "Industrial Building") to be in furtherance of the purposes of the Act and the public purposes of the County, and that the financing of the acquisition thereof will have the effect of relieving conditions of unemployment in the State and the County, encouraging the increase of industry and a balanced economy in the State and the County, promoting economic development, and in this manner promoting the health and welfare of the residents of the State and the County.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF QUEEN ANNE'S COUNTY, MARYLAND, that:

Received March 12, 1981

The County Commissioners of Queen Anne's County (the "County") intends to issue and sell its revenue bonds or notes (collectively the "Bonds") pursuant to the provisions of the Act in a principal amount sufficient to pay the cost of financing the acquisition of the Industrial Building, together with costs incident to the authorization, sale, and issuance of the Bonds, being presently estimated not to exceed \$4,000,000.

The proceeds of the Bonds will be loaned to Bar Gale Industries, Incorporated (the "Borrower") for the purpose of financing the acquisition of the Industrial Building by the Borrower.

Although the County currently anticipates issuing the Bonds pursuant to the Act, the County reserves the right to issue the Bonds pursuant to any other public general or public local law which may be then in effect. Therefore, all references to the Act in this resolution shall be deemed to include any present or future public general or public local law pursuant to which the County shall have the power to issue the Bonds.

The County intends to enter into one or more financing agreements with the Borrower to provide for the payment of the Bonds.

The County intends to enact, adopt or take such ordinances, resolutions or other actions, and to authorize the execution and delivery of such documents, as may be necessary or advisable for (i) the authorization, issuance, and sale of the Bonds, (ii) the financing of the acquisition of the Industrial Building, and (iii) the execution of agreements with the Borrower with respect to the Bonds or the financing of the Industrial Building. Any such actions and proceedings shall be subject to the approval of the Board of County Commissioners of Queen Anne's County (or such officials or bodies of the County as may hereafter be designated by the Board).

It is intended that this resolution shall constitute the "official action" toward the issuance of the Bonds within the meaning of Section 1.103-8 (a)(5) of the Income Tax Regulations prescribed by the United States Treasury Department. The President of the Board of County Commissioners is hereby authorized to execute on behalf of the County a letter of intent or other similar agreement between the County and the Borrower to evidence the County's intent to issue the Bonds.

This resolution shall take effect from the date of its passage.

Passed this 9th day of February, 1981.

ATTEST:

COUNTY COMMISSIONERS OF QUEEN ANNE'S COUNTY

S. A. Palmatier
Clerk

Samuel H. Benton
President

Samuel H. Benton
Commissioner

Comissioner

EXHIBIT A

Description of Industrial Building

The Industrial Building will consist of a building suitable for the manufacture of printed circuit boards, containing approximately 50,000 square feet of manufacturing and office space, and equipped with necessary or useful machinery, furniture, fixtures, equipment, together with a waste treatment plant, and approximately five (5) acres of land on which such facilities will be located, together with roads or other rights of access, utilities and other necessary facilities.

RESOLUTION

Upon motion duly made and seconded it was unanimously RESOLVED by the County Commissioners of Queen Anne's County, as follows:

1. The filing of an application for a Community Development Block Grant, Small Cities Program, U.S. Department of Housing and Urban Development be and is hereby authorized, including the understandings and assurances contained therein.

2. All prior actions heretofore taken with respect to such application be and the same are hereby ratified and confirmed.

3. John E. Gerber, III be and is hereby identified and appointed as the official representative of the County Commissioners of Queen Anne's County and he is hereby directed and authorized to act as such official representative in connection with the aforesaid application and to provide such additional information as may be required.

As witness the duly attested signatures of the County Commissioners of Queen Anne's County this 7th day of April, 1981.

ATTEST:

COUNTY COMMISSIONERS OF QUEEN ANNE'S COUNTY

Linda H. Palmatier *Lyndell N. Benton*

Warren B. Sullivan

John E. Gerber, III

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A RESOLUTION of the County Commissioners of Queen Anne's County, authorizing the issuance and sale of a general obligation installment bond in the principal amount of Three Million, One Hundred Sixty-Nine Thousand, Nine Hundred Dollars (\$3,169,900) under the authority of Sections 23-20 to 23-25A, inclusive, of the Code of Public Local Laws of Queen Anne's County (1974 Edition, as amended), as enacted by Chapter 356 of the Laws of Maryland of 1973 and amended by Chapter 430 of the Laws of Maryland of 1980, the bond to be designated "Queen Anne's County Sanitary District Bonds", the net proceeds of the sale thereof to be used and applied for the public purpose of financing a portion of the cost of developing and constructing a sewage collection, treatment and disposal system to serve the Kent Narrows/Stevensville/Grasonville Area Wastewater Subdistrict of the Queen Anne's County Sanitary District, and acquiring and developing all necessary property rights and equipment, together with related architectural, design, engineering, planning, fiscal and legal expenses; prescribing the form and tenor of the bond and the terms and conditions for the issuance and sale thereof at private sale to the United States of America, Farmers Home Administration; providing for the levy and collection of all taxes necessary for the prompt payment of the maturing principal of and interest on the bond; and generally relating to the issuance, sale and delivery of the bond.

BE IT RESOLVED BY THE COUNTY COMMISSIONERS OF QUEEN ANNE'S COUNTY:

Section 1. Pursuant to the authority of Sections 23-20 to 23-25A, inclusive, of the Code of Public Local Laws of Queen Anne's County (1974 Edition, as amended), as enacted by Chapter 356 of the Laws of Maryland of 1973 and amended by Chapter 430 of the Laws of Maryland of 1980 (collectively, the "Enabling Act"), the County Commissioners of Queen Anne's County, a body politic and corporate and a political subdivision of the State of Maryland (the "County"), shall borrow money and incur indebtedness for the public purpose of financing a portion of the cost of developing and constructing a sewage collection, treatment and disposal system to serve the Kent Narrows/Stevensville/Grasonville Area

Wastewater Subdistrict of the Queen Anne's County Sanitary District, and acquiring and developing all necessary property rights and equipment, together with related architectural, design, engineering, planning, fiscal and legal expenses. It is hereby estimated that the portion of the total cost of this project not otherwise covered by grants or loans made by the State of Maryland or by the United States of America will be not less than Three Million, One Hundred Sixty-Nine Thousand, Nine Hundred Dollars (\$3,169,900).

Section 2. To evidence the borrowing and indebtedness authorized in Section 1 of this Resolution, it is hereby determined that the County shall issue and sell, upon its full faith and credit, a general obligation installment bond in the principal amount of Three Million, One Hundred Sixty-Nine Thousand, Nine Hundred Dollars (\$3,169,900), to be known as "Queen Anne's County Sanitary District Bonds" (the "Bonds"). There shall be added to the title of the Bonds a designation corresponding to the year in which the Bonds are issued so that, if the Bonds are issued on or after January 1, 1981 but before January 1, 1982, the Bonds shall be known as "Queen Anne's County Sanitary District Bonds of 1981". The Bonds shall be dated the date of delivery and shall be issued in the form of a single, fully registered installment bond, without coupons attached, payable to "United States of America, Farmers Home Administration." The Bonds shall bear interest on the unpaid principal balance at the rate of five per centum (5%) per annum. The principal of and interest on the Bonds shall be paid in eighty semiannual installments of \$92,023.00 each. The first such installment of principal and interest shall be due and payable on the date six months following

the date of delivery of the Bonds, and subsequent installments of principal and interest shall be payable each six months thereafter until the principal of and interest on the Bonds are fully paid, except the final installment of the entire indebtedness evidenced by the Bond, if not sooner paid, shall be due and payable not later than forty (40) years from the date of the Bonds, and except that prepayments may be made as provided in Section 3 of this Resolution.

Section 3. The County shall have the right to prepay scheduled installments, or any portion thereof, at any time at par without premium or penalty. Refunds and extra payments, as designated in the regulations of Farmers Home Administration ("FmHA") according to the source of funds involved, shall, after payment of interest, be applied to the installments last to become due under the Bonds and shall not affect the obligation of the County to pay the remaining installments as scheduled therein. Notice of prepayment shall be given at least thirty (30) days prior to the prepayment date by mailing to the registered owner a notice fixing the prepayment date and the amount to be prepaid.

Section 4. The Bonds shall be executed in the name of the County and on its behalf by the President of the Board of County Commissioners (the "President"). The corporate seal of the County shall be affixed to the Bonds, attested by the signature of the Clerk of the County. So long as the Bonds are registered in the name of the United States of America, Farmers Home Administration, or its successor, the principal of and interest on the Bonds shall be paid by the County by check or draft mailed (by depositing such check

or draft, correctly addressed and postage prepaid, in the United States mails on or before the payment date) to the District Office of FmHA in Annapolis, Maryland, or to such other place as may from time to time be designated by FmHA or its successors. The principal of and interest on the Bonds shall otherwise be payable at the office of the County Treasurer in Centreville, Maryland. In the event any official whose signature appears on the Bonds shall have become such official after the date of this Resolution, the Bonds shall, nevertheless, be valid and legally binding obligations of the County in accordance with their terms.

Section 5. The Bonds shall be transferable only upon the books kept for that purpose at the office of the County Treasurer by the registered owner in person or by his duly authorized attorney. Upon such transfer there shall be issued in the name of the transferee a new registered bond or bonds, in denominations of One Hundred Dollars or any integral multiple thereof, in an aggregate principal amount equal to the unpaid principal amount of the bond or bonds surrendered and with the same maturities and interest rate. If more than one bond is issued upon any such transfer, the installment of principal and interest to be paid on each such bond on each payment date shall be equal to the product of the following formula: the total installment due on such payment date, as provided in Section 2 of this Resolution, multiplied by a fraction, the numerator of which shall be the principal amount of such bond and the denominator of which shall be the aggregate principal amount of bonds then outstanding and unpaid. No bond shall be transferred upon the books kept by the County Treasurer except upon payment of any taxes

on, and any shipping or insurance expenses relating to, such transfer, provided, however, that if the United States of America is the owner of the bond or bonds sought to be transferred, the costs thereof shall be borne by the County.

Section 6. Except as provided hereinafter or in a resolution or resolutions of the Board of County Commissioners adopted prior to the issuance of the Bonds, the Bonds shall be issued in substantially the following registered installment bond form. Appropriate variations and insertions shall be made to provide dates, numbers and amounts, and modifications not altering its substance may be made by the President. All of the covenants contained in the following form are hereby adopted by the County as and for the form of obligation to be incurred by the County, and the covenants and conditions contained therein are hereby made binding upon the County including the promise to pay therein contained:

(Form of Bond)

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REGISTERED

UNITED STATES OF AMERICA

STATE OF MARYLAND

COUNTY COMMISSIONERS OF QUEEN ANNE'S COUNTY

QUEEN ANNE'S COUNTY SANITARY DISTRICT BONDS OF

Dated , 198

COUNTY COMMISSIONERS OF QUEEN ANNE'S COUNTY, a body politic and corporate and a political subdivision of the State of Maryland (the "County"), hereby acknowledges itself indebted and for value received promises to pay to

, the registered owner, the principal amount of

plus interest on the unpaid principal balance from the date hereof at the rate of five per centum (5%) per annum. The principal of and interest on this bond shall be paid in semiannual installments of \$92,023.00 on , 198 and each and thereafter until the principal of and interest on this bond are fully paid, except that the final installment of the entire indebtedness evidenced by this bond, if not sooner paid, shall be payable on , 202 , and except that prepayments may be made as provided below.

Both the principal of and interest on this bond will be paid in lawful money of the United States of America, at the time

of payment, and will be paid either at the office of the County Treasurer in Centreville, Maryland, or, if the registered owner is the United States of America, Farmers Home Administration, or its successor, principal and interest will be paid by check or draft mailed (by depositing such check or draft, correctly addressed and postage prepaid, in the United States mails on or before the payment date) to the District Office of the Farmers Home Administration in Annapolis, Maryland, or to such other place as may from time to time be designated by the Farmers Home Administration or its successor.

This bond is issued pursuant to and in full conformity with the provisions of Sections 23-20 to 23-25A, inclusive, of the Code of Public Local Laws of Queen Anne's County (1974 Edition, as amended), as enacted by Chapter 356 of the Laws of Maryland of 1973 and amended by Chapter 430 of the Laws of Maryland of 1980 (collectively, the "Enabling Act") and by virtue of due proceedings had and taken by the Board of County Commissioners of Queen Anne's County, particularly a Resolution adopted by said Board on _____, 1980 (the "Resolution").

The payment of interest on and principal of this bond shall be provided in the first instance from the funds received from the levy and collection of the benefit assessments and the imposition of connection, service and other charges as provided by Sections 23-15, 23-17 and 23-18 of the Public Local Laws of Queen Anne's County (1974 Edition, as amended). To the extent that such funds from all such sources are insufficient to pay the principal of or interest on this bond, the County has covenanted in

the Resolution to levy and collect in each and every fiscal year in which this bond is outstanding ad valorem taxes upon all assessable property within the corporate limits of the County in rate and amount sufficient to provide for such payments when due. In the event the proceeds from the taxes so levied in any fiscal year are inadequate for such purpose, the County has covenanted in the Resolution to levy additional taxes in the succeeding fiscal year to make up any deficiency.

The full faith and credit and unlimited taxing power of the County are hereby irrevocably pledged to the prompt payment of the principal of and interest on this bond according to its terms, and the County does hereby covenant and agree to pay the principal of and the interest on this bond at the dates and in the manner prescribed herein.

This bond is transferable only upon the books of the County at the office of the County Treasurer by the registered owner hereof in person or by his attorney duly authorized in writing, upon surrender hereof, together with a written instrument of transfer satisfactory to the County Treasurer, duly executed by the registered owner or his duly authorized attorney. At the expense of any transferor other than the United States of America, the County shall, within a reasonable time, issue in the name of the transferee a new registered bond or bonds, in denominations of One Hundred Dollars or any integral multiple thereof, in an aggregate principal amount equal to the unpaid principal amount of the bond or bonds surrendered and with the same maturities and interest rate. If more than one bond is issued upon any such transfer, the installment of principal and interest to be paid on

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each such bond on each payment date shall be equal to the product of the following formula: the total installment due on each payment date multiplied by a fraction, the numerator of which shall be the principal amount of such bond and the denominator of which shall be the aggregate principal amount of bonds then outstanding and unpaid. Except for transfers made by the United States of America, the new bond or bonds shall be delivered to the transferee only after payment of any taxes on, and any shipping or insurance expenses relating to, such transfer. The County may deem and treat the party in whose name this bond is registered as the absolute owner hereof for the purpose of receiving payment of or on account of the principal hereof and the interest due hereon and for all other purposes.

The County has the right to prepay scheduled installments, or any portion thereof, at any time at par without premium or penalty. Refunds and extra payments, as designated in the regulations of the Farmers Home Administration according to the source of funds involved, shall, after payment of interest, be applied to the installments last to become due under this bond and shall not affect the obligation of the County to pay the remaining installments as scheduled herein. Notice of prepayment shall be given at least thirty (30) days prior to the prepayment date by mailing to the registered owner a notice fixing the prepayment date and the amount to be prepaid.

It is hereby certified and recited that all conditions, acts and things required by the Constitution or statutes of the State of Maryland, the Enabling Act and the Resolution to exist,

Section 7. The Bonds shall be sold at private sale, for cash at par, to FmHA, public advertisement and sale of the Bonds not being required by the terms of the Enabling Act and the best interests of the County and the property owners and residents of the Kent Narrows/Stevensville/Grasonville Area Wastewater Subdistrict of the Queen Anne's County Sanitary District being hereby declared to be served by such private sale. The President is expressly authorized and empowered to take any and all action necessary to complete and close the award, sale and delivery of the Bonds to FmHA, including, without limitation, making such changes or modifications in the forms adopted herein as may be necessary or appropriate to comply with FmHA practices and policies applicable from time to time.

Section 8. The County Treasurer is hereby designated to receive payment on behalf of the County of the proceeds of the sale of the Bonds. Such proceeds shall be deposited in the proper accounts of the County and shall be used and applied by the County exclusively and solely for the public purpose described in Section 1 of this Resolution. If the proceeds received from the sale of the Bonds exceed the amount needed for such public purposes, the unexpended excess shall be applied as soon as may be practicable to the prepayment of scheduled installments of the Bonds, unless a supplemental resolution is adopted to provide for the expenditure of that excess for some other valid purpose authorized by the Enabling Act.

Section 9. The payment of interest on and principal of the Bonds shall be provided in the first instance from the funds received from the levy and collection of the benefit assessments

and the imposition of connection, service and other charges as provided by Sections 23-15, 23-17 and 23-18 of the Public Local Laws of Queen Anne's County (1974 Edition, as amended). To the extent that such funds from all such sources are insufficient to pay the principal of or interest on the Bonds, the County in each and every fiscal year in which the Bonds are outstanding shall levy and collect ad valorem taxes upon all assessable property within the corporate limits of the County in rate and amount sufficient to provide for such payments when due, and in the event the proceeds from the taxes so levied in any fiscal year are inadequate for such purpose, the County shall levy additional taxes in the succeeding fiscal year to make up any deficiency. The full faith and credit and unlimited taxing power of the County are hereby irrevocably pledged to the prompt payment of the principal of and interest on the Bonds as and when the same are due and payable and to the levy and collection of the taxes hereinabove described as and when such taxes may become necessary in order to provide sufficient funds to meet the debt service requirements of the Bonds. The County covenants and agrees with the registered owner of the Bonds to levy and collect the taxes hereinabove described and to take any further action that may be appropriate from time to time during the period that the Bonds remain outstanding and unpaid to provide the funds necessary to pay promptly the principal and interest due thereon.

Section 10. (a) The President and the County Treasurer shall be the officers of the County responsible for the issuance of the Bonds within the meaning of Section 1.103-13(a)(2)(ii)(C)

of the Arbitrage Regulations (defined below). The President and the County Treasurer shall also be the officers of the County responsible for the execution and delivery (on the date of the issuance of the Bonds) of a certificate of the County (the "Section 103(c) Certificate") that complies with the requirements of Section 103(c) of the Internal Revenue Code of 1954, as amended, and the applicable regulations thereunder (the "Arbitrage Regulations"), and such officials are hereby authorized and directed to execute and deliver the Section 103(c) Certificate to counsel rendering an opinion on the validity of the Bonds on the date of the issuance of the Bonds.

(b) The County shall set forth in the Section 103(c) Certificate its reasonable expectations as to relevant facts, estimates and circumstances relating to the use of the proceeds of the Bonds, or of any moneys, securities or other obligations to the credit of any account of the County which may be deemed to be proceeds of the Bonds pursuant to Section 103(c) or the Arbitrage Regulations (collectively, the "Bond Proceeds"). The County covenants with the holders of the Bonds that the facts, estimates and circumstances set forth in the Section 103(c) Certificate will be based on the County's reasonable expectations on the date of the issuance of the Bonds and will be, to the best of the certifying officials' knowledge, true and correct as of that date.

(c) The County covenants with the holders of the Bonds that it will not make, or (to the extent that it exercises control or direction) permit to be made, any use of the Bond

Proceeds which would cause the Bonds to be "arbitrage bonds" within the meaning of Section 103(c) and the Arbitrage Regulations.

Section 11. This Resolution shall be effective on the date of its adoption.

Passed this 22nd day of July, 1980.

COUNTY COMMISSIONERS OF
QUEEN ANNE'S COUNTY

Leah S. Hunt

President

ATTEST:

Annast H. Barton

Commissioner

Louise M. Palmatier

Clerk

Norman D. Suttles

Commissioner

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS

OF THE QUEEN ANNE'S COUNTY, MARYLAND

AUTHORIZING AND PROVIDING FOR THE INCURRENCE OF INDEBTEDNESS FOR THE PURPOSE OF PROVIDING A PORTION OF THE COST OF ACQUIRING, CONSTRUCTING, ENLARGING, IMPROVING, AND/OR EXTENDING ITS KENT NARROWS/STEVENSVILLE/GRASONVILLE AREA SEWAGE COLLECTION, TREATMENT AND DISPOSAL SYSTEM FACILITY TO SERVE AN AREA LAWFULLY WITHIN ITS JURIDICTION TO SERVE.

WHEREAS, it is necessary for the County Commissioners of Queen Anne's County (Public Body)

(herein after called association) to raise a portion of the cost of such undertaking by issuance of its bonds in the principal amount of Three Million, One Hundred Sixty-Nine Thousand, Nine Hundred Dollars (\$3,169,900)

pursuant to the provisions of Sections 23-20 through 23-25A of the Public Local Laws of Queen Anne's County (1974 Edition, as amended)
WHEREAS, the association intends to obtain assistance from the Farmers Home Administration, United States Department of Agriculture, (herein called the Government) acting under the provisions of the Consolidated Farm and Rural Development Act (7 U.S.C. 1921 et seq.) in the planning, financing, and supervision of such undertaking and to purchasing of bonds lawfully issued, in the event that no other acceptable purchaser for such bonds is found by the association:

NOW THEREFORE, in consideration of the premises the association hereby resolves:

1. To have prepared on its behalf and to adopt an ordinance or resolution for the issuance of its bonds and containing such items and in such forms as are required by STATE statutes and as are agreeable and acceptable to the Government.
2. To refinance the unpaid balance, in whole or in part, of its bonds upon the request of the Government if at any time it shall appear to the Government that the association is able to refinance its bonds by obtaining a loan for such purposes from responsible cooperative or private sources at reasonable rates and terms for loans for similar purposes and periods of time as required by section 333(c) of said Consolidated Farm and Rural Development Act (7 U.S.C. 1983(c)).
3. To provide for, execute, and comply with Form FmHA 400-4, "Nondiscrimination Agreement"; and Form FmHA 400-1, "Equal Opportunity Agreement", including an "Equal Opportunity Clause", which clause is to be incorporated in, or attached as a rider to, each construction contract and subcontract involving in excess of \$10,000.
4. To indemnify the Government for any payments made or losses suffered by the Government on behalf of the association. Such indemnification shall be payable from the same source of funds pledged to pay the bonds or any other legally permissible source.
5. That upon default in the payments of any principal and accrued interest on the bonds or in the performance of any covenant or agreement contained herein or in the instruments incident to making or insuring the loan, the Government at its option may (a) declare the entire principal amount then outstanding and accrued interest immediately due and payable, (b) for the account of the association (payable from the source of funds pledged to pay the bonds or any other legally permissible source) incur and pay reasonable expenses for repair, maintenance, and operation of the facility and such other reasonable expenses as may be necessary to cure the cause of default, and/or (c) take possession of the facility, repair, maintain, and operate or rent it. Default under the provisions of this Resolution or any instrument incident to the making or insuring of the loan may be construed by the Government to constitute default under any other instrument held by the Government and executed or assumed by the association, and default under any such instrument may be construed by the Government to constitute default hereunder.
6. Not to sell, transfer, lease, or otherwise encumber the facility or any portion thereof, or interest therein, not permit others to do so, without the prior written consent of the Government.
7. Not to borrow any money from any source, enter into any contract or agreement, or incur any other liabilities in connection with making enlargements, improvements or extensions to, or for any other purpose in connection with the facility (exclusive of normal maintenance) without the prior written consent of the Government if such undertaking would involve the source of funds pledged to pay the bonds.
8. To place the proceeds of the bonds on deposit in an account, in a bank, and in a manner approved by the Government.

- 9. To comply with all applicable State and Federal laws and regulations and to continually operate and maintain the facility in good condition.
- 10. To provide for the receipt of adequate revenues to meet the requirements of debt service, operation and maintenance, and the establishment of adequate reserves. No free service or use of the facility will be permitted.
- 11. To acquire and maintain such insurance coverage including fidelity bonds as may be required by the Government.
- 12. To establish and maintain such books and records relating to the operation of the facility and its financial affairs and to provide for required audit thereof in such a manner as may be required by the Government, to provide the Government without its request, a copy of each such audit, and to make and forward to the Government such additional information and reports as it may from time to time require.
- 13. To provide the Government at all reasonable times access to all books and records relating to the facility and access to the property of the system so that the Government may ascertain that the association is complying with the provisions hereof and of the instruments incident to the making or insuring of the loan.
- 14. To serve any applicant within the service area who desires service and can be feasibly and legally served, and to obtain the concurrence of the Farmers Home Administration prior to refusing service to such applicant. Upon the failure to provide such service which is feasible and legal such applicant shall have a direct right of action against the association under this agreement.

The provisions hereof and the provisions of all instruments incident to the making or the insuring of the loan, unless otherwise specifically provided by the terms of such instruments, shall be binding upon the association as long as the bonds are held or insured by the Government. The provisions of sections 6 through 13 hereof may be provided for in more specific detail in the bond resolution or ordinance; to the extent that the provisions contained in such bond resolution or ordinance should be found to be inconsistent with the provisions hereof, these provisions shall be construed as controlling as between the association and the Government.

The vote was: Yeas 3; Nays 0; Absent 0.

IN WITNESS WHEREOF, the Board of County Commissioners of the Queen Anne's County, Maryland has duly adopted this Resolution and caused

it to be executed by the officers below in duplicate on this 22 day of July, 19 80.

COUNTY COMMISSIONERS OF
QUEEN ANNE'S COUNTY

(SEAL)

By Alexander E. Smith

Attest:
Linda H. Palmatary
 Title Clerk

Title President

CERTIFICATION

I, the undersigned, as Clerk of the County Commissioners of Queen Anne's County hereby certify that the Board of County Commissioners of such Association is composed of 3 members, of whom 3, constituting a quorum, were present at a meeting thereof duly called and held on the 22nd day of July, 19 80; that the foregoing resolution was adopted at such meeting by the vote shown above; and that said resolution has not been rescinded or amended in any way.

Dated, this 22nd day of July, 1980.

Linda H. Palmatary
 Title Clerk

RESOLUTION TO DESIGNATE THE MARYLAND STATE POLICE, CENTREVILLE BARRACKS, AS THE PRIMARY LAW ENFORCEMENT AGENCY FOR IMPLEMENTATION AND ENFORCEMENT OF ARTICLE 56, SECTION 416, OF THE ANNOTATED CODE OF MARYLAND

WHEREAS, the 1981 Session of the Maryland General Assembly passed a bill being House Bill 1221 entitled "Secondhand Precious Metals and Gem Dealers" which was enacted into law effective June 1, 1981; and,

WHEREAS, the purpose of the above-mentioned legislation is to define certain terms relating to precious metals and gem dealers; require certain dealers to maintain certain pertinent records, make certain reports, and hold certain merchandise for a certain period; provide an exception to the holding period; prohibiting transactions with minors; require certain dealers to be licensed and providing licensing procedures; provide for certain appeal procedures; provide circumstances under which a dealer's license may be denied, refused to be renewed, suspended, or revoked; provide for certain forms to be prepared; excluding certain records from public information article; and generally relating to precious metals and gem dealers; and,

WHEREAS, the legislature referred to a "Primary Law Enforcement Agency" to enforce said law which is to be designated by resolution by the County governing body, pursuant to Article 56, Section 416 (g); and,

WHEREAS, the local governing body of Queen Anne's County, Maryland is the County Commissioners of Queen Anne's County, Maryland; and,

WHEREAS, the County Commissioners of Queen Anne's County, Maryland, desire to designate the Maryland State Police, Centreville Barracks, as the "Primary Law Enforcement Agency".

RESOLVED, on this 23rd day of June, 1981, the COUNTY COMMISSIONERS OF QUEEN ANNE'S COUNTY, MARYLAND, do hereby designate the Maryland State Police, Centreville Barracks, as the "Primary Law Enforcement Agency" of Queen Anne's County, Maryland for the purpose of enforcing House Bill 1221,

being Article 56, Section 416 of the Annotated Code of Maryland, entitled, "Secondhand Precious Metals and Gem Dealers" and the same shall take effect immediately.

THE COUNTY COMMISSIONERS
OF QUEEN ANNE'S COUNTY

Lemuel H. Benton
LEMUEL H. BENTON, PRESIDENT

Vernon B. Sultenfuss
VERNON B. SULTENFUSS

Leonard E. Smith
LEONARD E. SMITH

ATTEST:

Lynda H. Palmatary
LYNDA H. PALMATARY, CLERK

RESOLUTION

WHEREAS, Section 22-11 of the Code of Public Local Laws of Queen Anne's County authorizes the County Commissioners of Queen Anne's County by Ordinance or Resolution to adopt all necessary rules and conditions for the acceptance, construction and maintenance of roads;

AND WHEREAS certain subdivision design and construction standards have been proposed to govern the construction and design of traffic ways within or serving proposed subdivisions in Queen Anne's County.

NOW, THEREFORE, be it resolved by the County Commissioners of Queen Anne's County this 8th day of September, 1981, that the "Subdivision design and construction standards for the roads division of the Department of Public Works of Queen Anne's County, Maryland", a copy of which is attached hereto, be and is hereby adopted.

AS WITNESS the hands and seals of the County Commissioners of Queen Anne's County.

ATTEST:

COUNTY COMMISSIONERS OF
QUEEN ANNE'S COUNTY

Lemuel H. Benton
Lemuel H. Benton, President

Billie P. Carroll
Deputy Clerk

Vernon B. Sultenfuss
Vernon B. Sultenfuss

Leonard E. Smith
Leonard E. Smith

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WHEREAS, Section 5-4(y) of the Code of Public Local Laws of Queen Anne's County authorizes the County Commissioners of Queen Anne's County by Ordinance or Resolution to adopt all necessary rules and conditions for the acceptance, construction and maintenance of roads;

AND WHEREAS certain subdivision design and construction standards have been proposed to govern the construction and design of traffic ways within or serving proposed subdivisions in Queen Anne's County.

NOW, THEREFORE, be it resolved by the County Commissioners of Queen Anne's County this 8th day of September, 1981, that the "Subdivision design and construction standards for the roads division of the Department of Public Works of Queen Anne's County, Maryland", a copy of which is attached hereto, be and is hereby adopted.

AS WITNESS the hands and seals of the County Commissioners of Queen Anne's County.

ATTEST:

COUNTY COMMISSIONERS OF
QUEEN ANNE'S COUNTY

Lemuel H. Benton
Lemuel H. Benton, President

Billie P. Carroll
Deputy Clerk

Vernon B. Sultenfuss
Vernon B. Sultenfuss

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Leonard E. Smith
Leonard E. Smith

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IN THE MATTER OF THE * BEFORE THE COUNTY
 PETITION OF HERITAGE * COMMISSIONERS OF QUEEN
 LEASING LTD FOR A CHANGE * ANNE'S COUNTY
 IN ZONING CLASSIFICATION * ZONING CASE NO. _____

* * * * *

DECISION

A hearing was held on September 29, 1981 at 1:30 p.m. upon the Petition of Heritage Leasing Ltd. for a change of zoning classification of lands of the Petitioner located near Castle Marina subdivision, Fourth Election District of Queen Anne's, State of Maryland being designated as parcels 18 and 45 on Queen Anne's County Sectional Zoning Map Nos. 57 and 49 from A-2 (Agricultural Conservation) District and A-1 (Agricultural) District to R-4 (Apartment) District. The hearing was held in the County Commissioners Office, County Annex Building, Banjo Lane, Centreville, Maryland.

The Petition, recommendation of the Queen Anne's County Planning Commission, certificate of publication of notices of the hearing in newspapers of general circulation in Queen Anne's County and a certification as to posting of the property were entered as part of the record. There was no objection made to the form or sufficiency of the procedure followed in processing the Petition on to the jurisdiction of Queen Anne's County to hear and decide the matter.

Vachel A. Downes, Jr., Esquire, on behalf of the Petitioner presented testimony supporting the requested rezoning. Mr. Downes contended that a portion of the land in question had been filled at the time the property was given its zoning designation and that it was a mistake in not zoning the parcel uniformly as R-4 Apartment District.

A number of residents in the neighborhood of the subject property testified in opposition to the Petition. They cited

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 ATTORNEYS AT LAW
 106 LAWYERS ROW
 CENTREVILLE, MARYLAND
 21617

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their opposition to high density housing near the Castle Marina subdivision.

Stuart Lehmann of the Chesapeake Bay Foundation testified and stressed the importance of the aquatic resources in the area and the potential impact of development upon such resources.

Mary Espy, Secretary to the Planning Commission, stated that that body had reviewed the subject Petition and had recommended the proposed rezoning. Such recommendation was based upon the determination that there had been a mistake in the original zoning of the property.

The County Commissioners considered the testimony and exhibits presented and the recommendation of the Queen Anne's County Planning Commission and find from the evidence presented that there was a mistake in the original zoning of the subject property.

Upon motion by Mr. Smith, seconded by Mr. Sultenfuss, it was unanimously resolved that the Comprehensive Zoning Ordinance of Queen Anne's County be amended, as follows:

BE IT ORDAINED that the area described in the Rezoning Petition in this case being an area of 28.685 Acres, more or less, and designated on Queen Anne's County Sectional Zoning Map Nos. 49 and 57 owned by Heritage Leasing, Ltd., be and is hereby reclassified in its entirety to R-4 (Apartment) District.

DATED: September 29, 1981

ATTESTED: _____

THE COUNTY COMMISSIONERS OF
QUEEN ANNE'S COUNTY

Lemuel H. Benton
Lemuel H. Benton
President

Linda A. Palmatier

Vernon B. Sultenfuss
Vernon B. Sultenfuss
Vice President

Leonard E. Smith
Leonard E. Smith

RESOLUTION

WHEREAS, Section 22-11 of the Code of Public Local Laws of Queen Anne's County authorizes the County Commissioners of Queen Anne's County by Ordinance or Resolution to adopt all necessary rules and conditions for the acceptance, construction and maintenance of roads;

AND WHEREAS certain subdivision design and construction standards have been proposed to govern the construction and design of traffic ways within or serving proposed subdivisions in Queen Anne's County.

NOW, THEREFORE, be it resolved by the County Commissioners of Queen Anne's County this 8th day of September, 1981, that the "Subdivision design and construction standards for the roads division of the Department of Public Works of Queen Anne's County, Maryland", a copy of which is attached hereto, be and is hereby adopted.

AS WITNESS the hands and seals of the County Commissioners of Queen Anne's County.

ATTEST:

COUNTY COMMISSIONERS OF
QUEEN ANNE'S COUNTY

Lemuel H. Benton
Lemuel H. Benton, President

Billie P. Carroll
Deputy Clerk

Vernon B. Sultenfuss
Vernon B. Sultenfuss

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QUEEN ANNE'S COUNTY

Leonard E. Smith
Leonard E. Smith

QUEEN ANNE'S COUNTY
ORDINANCE NO. 109
ETHICS PROVISIONS

1. Applicability.

The provisions of this Ordinance apply to the following Queen Anne's County officials and employees:

All County officials and employees.

2. Ethics Commission.

There shall be a Queen Anne's County Ethics Commission, which shall be composed of three (3) members appointed by the County Commissioners of Queen Anne's County. The Commission shall be advised by the County Attorney and shall have the following responsibilities:

- a. To devise, receive and maintain all forms generated by this ordinance;
- b. To provide published advisory opinions to persons subject to the ordinance as to the applicability of the provisions of this ordinance to them;
- c. To process and make determinations as to complaints filed by any person alleging violations of this ordinance; and
- d. To conduct a public information program regarding the purposes and application of this ordinance.

3. Conflicts and Interest.

Queen Anne's County officials and employees who are subject to this ordinance shall not:

- a. Participate on behalf of the County in any matter which would, to their knowledge, have a direct financial impact, as distinguished from the public generally, on them, their spouse or dependent child, or a business entity with which they are affiliated.
- b. Hold or acquire an interest of Fifty One per cent (51%) or greater in a business entity that has a contract of, or is negotiating a contract of, Five Thousand Dollars (\$5,000.00) or

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more with the County or is regulated by that person's agency except as exempted by the Commission where the interest is disclosed pursuant to Section 6 of this ordinance.

d. Hold any outside employment relationship that would impair their impartiality or independence of judgment.

e. Represent any party, for a contingent fee, before any County body.

f. Within one (1) year following termination of County service, act as a compensated representative of another in connection with any specific matter in which he participated substantially as a County official or employee.

g. Solicit any gift or accept gifts of greater than Twenty-Five Dollars (\$25.00) in value, from any person that has a contract with, or is negotiating a contract with, the County or is regulated by that person's agency, except when these gifts would not present a conflict of interest as determined by the Commission. "Gift" as herein used shall mean the transfer of anything of economic value regardless of the form without adequate and lawful consideration. "Gift" does not include the solicitation, acceptance, receipt, or regulation of political campaign contributions regulated in accordance with the provisions of Article 33, §§26-1 et seq., Annotated Code of Maryland, or any other provision of State or local law regulating the conduct of elections or the receipt of political campaign contributions.

Unless a gift of any of the following would tend to impair the impartiality and the independence of judgment of the official or employee receiving it, or if of significant value, would give the appearance of doing so, or, if of significant value, the recipient official or employee believes, or has reason to believe, that it is designed to do so, the foregoing does not apply to:

- I. Meals and beverages;
 - II. Ceremonial gifts or awards which have insignificant monetary value;
 - III. Unsolicited gifts of nominal value or trivial items of informational value;
 - IV. Reasonable expenses for food, travel, lodging, and scheduled entertainment of the official or the employee for a meeting which is given in return for participation in a panel or speaking engagement at the meeting;
 - V. Gifts of tickets or free admission extended to an elected official or employee to attend a professional or intercollegiate sporting event or charitable, cultural, or political events, if the purpose of this gift or admission is a courtesy or ceremony extended to the office.
- h. Use the prestige of their office for their own benefit or that of another.
 - i. Use confidential information acquired in their official County position for their own benefit or that of another.

4. Financial Disclosure.

a. The County officials and employees listed in Paragraph (c) of this section shall file annually not later than January 31 of each calendar year during which they hold office, a statement with the Commission disclosing any gifts received during the preceding calendar year from any person having a contract with the County or any person regulated by their agency. The statement shall identify the donor of this gift and its approximate retail value at the time of receipt.

b. Candidates for elective offices listed in Paragraph (c) of this section shall file statements consistent with the require-

ments of Subsection (a) of this section at the time that they file their certificate of candidacy.

c. Officials and employees required to file:

All elected county officials.

d. All County officials and employees listed in Paragraph (c) of this section or candidates for elective office to positions subject to this section shall file a statement with the Commission disclosing any interest or employment the holding of which would require disqualification from participation pursuant to §3(a) of this Ordinance.

e. Disclosure statements filed pursuant to this section shall be maintained by the Commission as public records available for public inspection and copying.

5. Lobbying Disclosure.

a. Any person who personally appears before any County official or employee with the intent to influence that person in performance of his official duties and who, in connection with such intent expends or reasonably expects to expend in a given calendar year in excess of Five Hundred Dollars (\$500.00) on food, entertainment or other gifts for such officials, shall file a registration statement with the Commission not later than January 15 of the calendar year or within five (5) days after first making these appearances.

b. The registration statement shall include complete identification of the registrant and of any other person on whose behalf the registrant acts. It shall also identify the subject matter on which the registrant proposes to make these appearances.

c. Registrants under this section shall file a report within thirty (30) days after the end of any calendar year during which they were registered, disclosing the value, date, and nature of any food, entertainment or other gift provided to a County official or employee. When a gift or series of gifts to a

single official or employee exceed One Hundred Dollars (\$100.00) in value, the official or employee shall also be identified.

d. The registrations and reports filed pursuant to this section shall be maintained by the Commission as public records available for public inspection and copying.

6. Exemptions and Modifications.

The Commission may grant exemptions and modifications to the provisions of Section 3 and 4 of this ordinance if it determines that application of those provisions would:

- a. Constitute an unreasonable invasion of privacy;
- b. Significantly reduce the availability of qualified persons for public service; and
- c. Not be required to preserve the purposes of this chapter.

7. Enforcement.

a. The Commission may issue a cease and desist order against any person found to be in violation of this ordinance and may seek enforcement of this order in the Circuit Court of Queen Anne's County.

b. A County official or employee found to have violated this ordinance may be subject to disciplinary or other appropriate personnel action, including suspension of County salary or other compensation.

c. Violation of Section 3, 4, or 5 of this ordinance shall be a misdemeanor subject to a fine of up to One Thousand Dollars (\$1,000.00) or imprisonment of up to six (6) months, or both.

8. This ordinance shall take effect the 1st day of July, 1982.

Adopted this 23rd day of February, 1982, by the County Commissioners of Queen Anne's County.

ATTEST:

Lynda N. Palmatary
Lynda Palmatary

Vernon B. Sultenfuss
Vernon B. Sultenfuss, President

Lemuel H. Benton
Lemuel H. Benton

Leonard E. Smith
Leonard E. Smith

IN THE MATTER OF THE PETITION * BEFORE THE COUNTY
 OF KURT F. ROSER, * COMMISSIONERS OF QUEEN
 WALTER G. HOWARD, * ANNE'S COUNTY
 FLORENCE E. HOWARD, * ZONING CASE NO. 110
 GEORGE C. LeMAY and *
 MARGARET T. LeMAY *
 FOR A CHANGE IN ZONING *
 CLASSIFICATION *

* * * * *

IN THE MATTER OF THE RESOLUTION *
 OF THE COUNTY COMMISSIONERS, OF *
 QUEEN ANNE'S COUNTY FOR THE *
 INITIATION OF A CHANGE IN *
 ZONING CLASSIFICATION *

* * * * *

DECISION

A hearing was held on September 8, 1981 at 2:30 p.m. upon the Petition of Kurt F. Roser, et al., for a change of zoning classification of lands of the Petitioner located South of U.S. Route 50, Fifth Election District of Queen Anne's County, State of Maryland and being designated as Parcels 26, 89 and 163 and as parts of Parcels 4 and 76 as shown on Queen Anne's County Sectional Zoning Map No. 59 from A-1 (Agricultural) District to B-2 (General Business) District. The hearing was held in the County Commissioners' Office, County Annex Building, Banjo Lane, Centreville, Maryland.

The Petition, recommendation of the Queen Anne's County Planning Commission, certificates of publication of notices of the hearing in newspapers of general circulation in Queen Anne's County and a certificate as to posting of the property were entered as part of the record. There was no objection made to the form or sufficiency of the procedure followed in processing the Petition or to the jurisdiction of the County Commissioners of Queen Anne's County to hear and decide the matter.

Michael R. Foster, Esquire, on behalf of the Petitioners presented testimony from Mr. Kurt Roser and Mr. George LeMay, two of the Petitioners, in support of the requested rezoning. Mr. Foster contended that the original designation of a B-2 (General Business) District in this area was a mistake insofar as such B-2

TURNER & THOMPSON
 ATTORNEYS AT LAW
 100 LAWYERS ROW
 CENTREVILLE, MARYLAND
 21617

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area was insufficient in depth to allow proper B-2 activities. The Queen Anne's County Planning Commission had agreed that there had been a mistake in the original zoning of this property and had further resolved when considering this request that adjoining property owners be contacted to advise them of the possibility of rezoning their property.

Upon consideration of the foregoing it was the unanimous resolution of the County Commissioners that they initiate reclassification of certain property adjacent to the area described in the Petition and it was further resolved that said reclassification be submitted to the Queen Anne's County Planning Commission for its investigation, report and recommendation.

A hearing was held on February 16, 1982 at 2:00 p.m. upon the aforementioned initiation of the County Commissioners for change of zoning classification of lands located adjacent to the lands of Kurt Roser, et al. located south of U.S. Route 50, Fifth Election District, Queen Anne's County, Maryland, being designated as Parcels 132, 143 and 170 and part of Parcel 9 on Queen Anne's County Sectional Zoning Map No. 59 from A-1 (Agricultural) District to B-2 (General Business) District. The hearing was held in the County Commissioners' Office, County Annex Building, Banjo Lane, Centreville, Maryland.

The resolution initiating the proposed reclassification, planning commission report and recommendation, certificate of publication in newspapers of general circulation in Queen Anne's County and certificate of posting of the properties were entered as part of the record. There was no objection as to the form or sufficiency of the procedure followed in processing the proposed reclassification or to the jurisdiction of the County Commissioners of Queen Anne's County to hear and decide the matter.

The Commissioners find from all the evidence presented at both hearings held on this matter that there was a mistake in the original zoning of the subject properties.

Upon motion by Mr. Smith, seconded by Mr. Sultenfuss, it was unanimously resolved that the Queen Anne's County Comprehensive Zoning be amended, as follows:

BE IT ORDAINED that the area described in the Petition for Rezoning in this case and the area described in the resolution of the County Commissioners dated September 8, 1981 being Parcels 26,

89, 163, 132, 143 and 170 and parts of Parcels 4, 76 and 9 as shown on Queen Anne's County Sectional Zoning Map No. 59 be and are hereby reclassified to B-2 (General Business) District.

Dated February 16, 1982

THE COUNTY COMMISSIONERS OF
QUEEN ANNE'S COUNTY

Vernon B. Sultenfuss
Vernon B. Sultenfuss, President

ATTEST:

Was not present for the hearing
Lemuel P. Benton

Lynda A. Palmatary
Lynda Palmatary, Clerk

Leonard E. Smith
Leonard E. Smith

TURNER & THOMPSON
ATTORNEYS AT LAW
100 LAWYERS ROW
CENTREVILLE, MARYLAND
21617



IN THE MATTER OF * BEFORE THE COUNTY
 CERTAIN AMENDMENTS TO THE * COMMISSIONERS OF QUEEN ANNE'S
 QUEEN ANNE'S COUNTY * COUNTY ZONING CASE NO. 111
 COMPREHENSIVE ZONING *
 ORDINANCE *

* * * * *

DECISION

A hearing was held on April 27, 1982 at 3:00 p.m., upon the recommendation of the Queen Anne's County Planning Commission to amend the Queen Anne's County Comprehensive Zoning Ordinance (hereinafter "The Ordinance") as follows:

1. To amend Section 20.441 of The Ordinance to add a new subsection (f) to read as follows:

(f) A shelter care housing project as a conditional use in the R-1, R-2, R-3, R-4, R-5, A-1 and A-2 Zoning Districts for a maximum of twelve(12) residents, provided said project meets the definition of a shelter care housing project as defined in Section 3.40A.

2. To add a new Section 3.40A to Article 3 of The Ordinance to read as follows:

3.40A Shelter Care Housing Project - Any owner occupied residence which houses the impaired aged, maintaining a range of supportive services and providing a residential environment to such persons sixty-two (62) years of age and older, who are in need of congregate meals, housekeeping, and assistance in one or more of the activities of daily living, such as eating, bathing, grooming or dressing.

The hearing was held in the Office of the County Commissioners of Queen Anne's County, County Annex Building, Banjo Lane, Centreville, Maryland.

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TURNER & THOMPSON
 ATTORNEYS AT LAW
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 QUEEN ANNE'S COUNTY

The recommendations of the Queen Anne's County Planning Commission and Certificates of Publication evidencing advertisement of the public hearing were made a part of the record. There were no objections to the form or sufficiency of the procedure followed in processing the proposed amendments or to the jurisdiction of the County Commissioners of Queen Anne's County to hear and decide these matters.

There was no testimony or witnesses in opposition to the proposed amendments.

The County Commissioners considered each amendment separately and in each amendment it was moved by Mr. Smith, seconded by Mr. Benton and unanimously resolved that the recommendation of the Queen Anne's County Planning Commission for an amendment to the Queen Anne's County Comprehensive Zoning Ordinance be ADOPTED.

Date: April 27, 1982

ATTEST:

THE COUNTY COMMISSIONERS OF
QUEEN ANNE'S COUNTY

Vernon B. Sultenfuss
Vernon B. Sultenfuss
President

John H. Palmatier

Emuel H. Benton
Emuel H. Benton
Vice President

Leonard E. Smith
Leonard E. Smith

TURNER & THOMPSON
ATTORNEYS AT LAW
109 LAWYERS ROW
CENTREVILLE, MARYLAND
21617

IN THE MATTER OF * BEFORE THE
 THE PETITION OF * COUNTY COMMISSIONERS OF
 ROY WILLIAMS, JR., AND * QUEEN ANNE'S COUNTY
 MARY WILLIAMS FOR A CHANGE * ZONING CASE NO. 112
 IN ZONING CLASSIFICATION *

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DECISION

A hearing was held on April 27, 1982 at 2:00 p.m. upon the Petition of Roy Williams, Jr., and Mary Williams, his wife, for a change of zoning classification of a portion of lands of the Petitioners located near Queenstown, Fifth Election District of Queen Anne's County, State of Maryland, and being designated as a portion of Parcel No. 57 on Queen Anne's County Sectional Zoning Map No. 59 from M-1 (Industrial Park) District to R-5 (General Residence) District. The hearing was held in the County Commissioners' Office, County Annex Building, Banjo Lane, Centreville, Maryland.

The petition, recommendation of the Queen Anne's County Planning Commission, certificates of publication of notice of the hearing in newspapers of general circulation in Queen Anne's County and certificate of posting of the property were entered into evidence as part of the record without objection. There was no objection as to the form or sufficiency of the procedure followed in processing the Petition or to the jurisdiction of the County Commissioners of Queen Anne's County to hear and decide the matter.

Michael R. Foster, Esquire, appeared on behalf of the Petitioners and presented testimony in favor of the application for rezoning. Mr. Foster contended that the original zoning of a portion of the subject property as M-1 (Industrial Park) District was a mistake as the property has virtually no road frontage and is not usable for Industrial purposes. Mr. Foster further contended the character of the neighborhood had changed by virtue of a certain boundary line agreement. It was Mr. Foster's contention that the highest and best use of this property was as an R-5 (General Residence) District.

TURNER & THOMPSON
 ATTORNEYS AT LAW
 109 LAWYERS ROW
 CENTREVILLE, MARYLAND
 21017

There was no testimony in opposition to the Petition.

The Commissioners find from the evidence presented that there was a mistake in the original zoning of the subject property, and that there has been a change in the character of the neighborhood.

Upon motion By Mr. Smith, seconded by Mr. Benton, it was unanimously resolved that the Comprehensive Zoning Ordinance of Queen Anne's County be amended as follows:

BE IT ORDAINED that the area described in the Petition for Reclassification in this case, being designated as a portion of Parcel No. 57 on Queen Anne's County Sectional Zoning Map 59 in the Fifth Election District, Queen Anne's County, be and is hereby reclassified from M-1 (Industrial Park) District to R-5 (General Residence) District.

DATED: April 27, 1982

ATTEST:

THE COUNTY COMMISSIONERS OF
QUEEN ANNE'S COUNTY

Vernon B. Sultenfuss
Vernon B. Sultenfuss
President

Lemuel H. Benton

Lemuel H. Benton
Lemuel H. Benton
Vice President

Leonard E. Smith
Leonard E. Smith

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IN THE MATTER OF A	*	BEFORE THE
PROPOSED AMENDMENT TO	*	COUNTY COMMISSIONERS OF
ARTICLE 5 OF THE QUEEN	*	QUEEN ANNE'S COUNTY
ANNE'S COUNTY COMPREHENSIVE	*	COUNTY ZONING
ZONING ORDINANCE	*	CASE NO. <u>113</u>
* * * * *	*	* * * * *

DECISION

A hearing was held on August 10, 1982 at 3:30 p.m., upon the recommendation of the Queen Anne's County Planning Commission to amend the Queen Anne's County Comprehensive Zoning Ordinance (hereinafter "The Ordinance") as follows:

1. To amend Article 5 of The Ordinance to add a new section 5.084 to read as follows:

5.084 - - Accessory buildings may be located in any yards on lots where the rear lot line abuts on any stream, lake or other body of water provided that all setback requirements in this ordinance for a principal building on said lot are adhered to.

The hearing was held in the Office of the County Commissioners of Queen Anne's County, County Annex Building, Banjo Lane, Centreville, Maryland.

The recommendations of the Queen Anne's Planning Commission and Certificates of Publication evidencing advertisement of the public hearing were made a part of the record. There were no objections to the form or sufficiency of the procedure followed in processing the proposed amendments or to the jurisdiction of the County Commissioners of Queen Anne's County to hear and decide these matters.

Wayne L. Gardner, Zoning Administrator, testified regarding the purposes and effect of the proposed amendment. There was no testimony or witnesses in opposition to the proposed amendments.

Upon consideration of the amendment, and for the reasons stated at the hearing, it was moved by Mr. Smith and seconded by Mr. Sultenfuss and unanimously resolved that the recommendation of the Queen Anne's County Planning Commission for an amendment to the Queen Anne's County Comprehensive Zoning Ordinance be ADOPTED.

Dated: August 10, 1982

ATTEST:

THE COUNTY COMMISSIONERS
OF QUEEN ANNE'S COUNTY

Lydia A. Palmatary

Vernon B. Sultenfuss
Vernon B. Sultenfuss
President

Lemuel H. Benton
Lemuel H. Benton
Vice-President

Leonard E. Smith
Leonard E. Smith

ORDINANCE NO. 114

AN ORDINANCE REGULATING THE OPERATIONS OF CABLE TELEVISION FRANCHISES WITHIN QUEEN ANNE'S COUNTY AND THE DISTRIBUTION VIA CABLE OF TELEVISION SIGNALS AND OTHER SERVICES TO THE INHABITANTS OF QUEEN ANNE'S COUNTY.

WHEREAS, the County Commissioners of Queen Anne's County, state of Maryland, are satisfied that the availability of cable television service to the inhabitants of Queen Anne's County will be of material benefit to the health safety and welfare of said inhabitants and are therefore prepared to award and grant one or more non-exclusive franchises to operate cable television transmission and distribution facilities.

AND WHEREAS, to better protect the citizenry of Queen Anne's County, it is necessary to enact this ordinance for the purpose of regulating the operations of said franchises and governing generally the distribution via cable of television signals and other services within the corporate limits of Queen Anne's County,

NOW THEREFORE, BE IT ENACTED AND ORDAINED by the County Commissioners of Queen Anne's County, state of Maryland, pursuant to the authority granted in Section 3C of Article 25 of the Annotated Code of Maryland, as follows:

Section I

Definitions

For the purpose of this Ordinance, the following terms, phrases, and words shall have the meaning given herein. When not inconsistent with the context, words used in the present tense include the future, words in plural include the singular, and vice versa. The word "shall" is always mandatory:

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QUEEN ANNE'S COUNTY

(A) "County" means the County Commissioners of Queen Anne's County, a body corporate and politic under the laws of the State of Maryland.

(B) "Company" or "Franchisee" means a corporation or entity organized and existing under the laws of any State and the grantee of rights under a cable television franchise granted by the County.

(C) "Federal Communication Commission" or "FCC" means the present federal agency of that name as constituted by the Communications Act of 1934, or any successor agency created by the United States Congress.

(D) "Person" means any person, firm, partnership, association, corporation, company or organization of any kind.

(E) "Gross Subscriber Revenues" shall include any and all compensation or receipts derived from recurring monthly service charges in connection with the carriage of broadcast signals and Federal Communications Commission mandated non-broadcast services, but shall not include any refunds or credits made to subscribers or any taxes imposed on the services furnished by grantee. It shall include revenues derived from per-program or per-channel charges, leased channel revenues, advertising revenues, or any other income derived from the system, except installation, disconnection, and re-installation charges.

(F) "Regular Subscriber Services" shall include the carriage of broadcast signals and FCC mandated non-broadcast services, but shall not include "Auxiliary" services, which include, but are not limited to, advertising, leased channels, and pay-cable.

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Section II

Use of Existing Pole Line Facilities

There is hereby granted the further right, privilege, and authority to the Company to lease, rent, or in any other manner obtain the use of towers, poles, lines, cables, and other equipment and facilities from any and all holders of public licenses and franchises within the limits of Queen Anne's County, including the telephone and power company and to use such tower, poles, lines, cables and other equipment and facilities, subject to all existing and future ordinances and regulations of the County. The poles used for the Company's distribution system shall be those erected and maintained by the telephone and power company, when and where practicable, providing mutually satisfactory rental agreements can be entered into with said companies.

Section III

Conditions on Street Occupancy and System Construction

(A) There is hereby granted the further right, privilege and authority of Company to lease, rent, or in any other manner obtain land or right-of-way to erect and maintain its own poles, as may be necessary for the proper construction and maintenance of the television distribution system, with the approval of locating poles by the County.

(B) The Company's transmission and distribution system, poles, wires, and appurtenances shall be located, erected, and maintained so as not to endanger or interfere with the lives of persons, or to interfere with new improvements the County may deem proper to make, or to unnecessarily hinder or obstruct the free use of the streets, alleys, bridges, or other public property. Removal of poles to avoid such interference will be at the Company's expense.

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(C) Construction and maintenance of the transmission distribution system shall be in accordance with the provisions of the National Electrical Safety Code, prepared by the National Bureau of Standards, the National Electrical Code of the National Board of Fire Underwriters, and such applicable ordinances and regulations of the County, affecting electrical installations, which may be presently or hereafter in effect.

(D) All installations of equipment shall be permanent of nature, durable, and installed in accordance with good engineering practices and of sufficient height to comply with all existing County regulations, ordinances, and with State Laws so as not to interfere in any manner with the right of the public or individual property owner, and shall not interfere with the travel and use of public places by the public and during the construction repair or removal thereof, shall not obstruct or impede traffic.

(E) In the maintenance and operation of its television transmission and distribution system in the streets, alleys, and other public places and in the course of any new construction or addition to its facilities, the Company shall proceed so as to cause the least possible inconvenience to the general public; any opening or obstruction in the streets or other public places made by the Company in the course of its operations shall be guarded and protected at all times by the placement of adequate barriers, fences, or boardings, the bounds of which, during periods of dusk and darkness, shall be clearly designated by red warning lights. Any excavation or taking up of pavement, curbing, or sidewalk shall be done only with the approval of the County, and shall be repaired by the Company.

(F) In the event the County shall relocate a street, raise or lower a bridge, or make any other changes requiring the removal of utility installations, the Company at its sole expense shall remove or relocate its installations at said locations.

(G) The franchisee shall, at all times during the life of this franchise, be subject to the lawful exercise of the County's police power and such reasonable regulations as the County may subsequently promulgate thereunder. Nothing contained in this Ordinance shall be deemed to prohibit in any way the right of the County to levy non-discriminatory occupational license taxes on any activity conducted by the franchisee.

(H) All privileges prescribed by any franchise shall be subordinate to any prior lawful occupancy of the public streets, and the County reserves the right to reasonably designate where a franchisee's facilities are to be placed within the public ways.

(I) 1. The franchise shall be a privilege which is personal to the original franchisee. It shall not be sold, transferred, leased, assigned or disposed of, in whole or in part, either by sale, merger, consolidation or otherwise, without prior consent of the County, expressed by resolution, and then only under such conditions as may therein be prescribed.

2. After consent of the County, any transfer or assignment shall be by an instrument in writing, which shall include an acceptance of all terms and conditions of the franchise by transferee, a duly executed copy of which shall be filed with the County within 30 days after any such transfer or assignment.

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3. Such consent of the County shall not be granted until it has examined the proposed assignee's legal, financial, technical, character and other qualifications to construct, operate and maintain a cable television system in Queen Anne's County and has afforded all interested parties notice of an opportunity to be heard on the question. In any case, such consent or non-consent shall be expressed within ninety (90) days of written notification of proposed assignment or transfer.

4. Consent of the County for assignment of the franchise shall not be arbitrarily refused, provided that the proposed assignee possesses at least the requisite qualifications of present franchisee and agrees, in writing, to comply with all provisions of the franchise and this Ordinance.

5. Transfer of 10% or more of the voting securities of a corporate franchisee to a person not presently a stockholder shall be deemed to be a transfer of control.

6. No such consent shall be required for a transfer:

(i) in trust, of system assets by mortgage or by other hypothecation to secure an indebtedness.

(ii) to a parent or subsidiary of a corporate grantee, if said transferee has at least the qualifications of transferor.

(iii) to a corporation whose stock is held by the same stockholders as franchisee, if the corporation has at least the same qualifications as franchisee.

(iv) of less than 10% of the voting securities of a corporate franchisee unless such transfer also results in a transfer of voting control.

(v) of stock from one present stockholder to another present stockholder unless such transfer also results in a transfer of voting control.

(J) Nothing herein shall be deemed to in any way impair or affect the right of the County to acquire the property of the franchisee, either by purchase or through the exercise of the right of eminent domain, at a price reflective of its fair market value as an ongoing concern, and nothing herein shall be construed to constitute a waiver or bar to the exercise of any governmental right or power of the County.

Section IV

Liability and Indemnification

(A) The franchisee or assignee shall pay, and by its acceptance of the franchise specifically agrees to pay, any and all damages or penalties which the County may be legally required to pay as a result of franchisee's installation, operation, or maintenance of a franchise cable television system under this Ordinance, whether or not the acts or omissions complained of are authorized, allowed or prohibited by the County.

(B) The franchisee or assignee shall also pay all expenses incurred by the County in defending itself with regard to any and all damages and penalties mentioned in subsection (A) above. These expenses shall include all out-of-pocket expenses, including reasonable attorney's fees and the reasonable value of services rendered by any employee of the County.

(C) The franchisee or assignee shall maintain, throughout the term of the franchise, liability insurance insuring the Franchise Entity and the franchisee with regard to all damages mentioned in subsection (A) above caused by franchisee or its

agents in the minimum amounts of:

1. Workmen's compensation insurance as provided by the laws of the State of Maryland.

2. A general comprehensive public liability policy indemnifying, defending and saving harmless the County, its officers, boards, commissions, agents or employees from any and all claims by any person whatsoever on account of injury to or death of a person or persons occasioned by the operations of the franchisee under the franchise herein granted or alleged to have been so caused or occurred with a minimum liability of Five Hundred Thousand (\$500,000.00) Dollars per personal injury or death of any one person and One Million (\$1,000,000.00) Dollars for personal injury or death of two or more persons in any one occurrence.

3. Property damage insurance indemnifying, defending and saving harmless the County, its officers, boards, commissions, agents and employees from and against all claims by any person whatsoever for property damage occasioned by the operation of the franchisee under the franchise herein granted or alleged to have been so caused or occurred with a minimum liability of Five Hundred Thousand (\$500,000.00) Dollars for property damage to the property of two or more persons in any one occurrence.

4. The insurance policies obtained by the franchisee in compliance with this section shall be issued by a company or companies acceptable to the County, and a current certificate or certificates of insurance, along with written evidence of payment of all required premiums, shall be filed and maintained with the County during the term of the franchise. Said policies shall name the County as an additional insured

and shall contain a provision that a written notice of cancellation or reduction in coverage of said policy shall be delivered to the County thirty (30) days in advance of the effective date thereof.

Section V.

Indemnity Bond

(A) 1. Concurrently with the acceptance of its franchise, the franchisee shall file with the County a bond with an acceptable surety in the amount of Thirty Thousand (\$30,000.00) Dollars to indemnify the County against any losses it may suffer in the event the franchisee fails to comply with one or more of the provisions of its franchise. Said bond shall be obtained at the sole expense of the franchisee and remain in effect for the full term of the franchise of any renewal thereof, plus an additional six (6) months thereafter. The franchisee and its surety shall be jointly and severally liable under the terms of the bond for any damages for loss suffered by the County as a result of the franchisee's non-performance, including the full amount of any compensation, indemnification or cost of removal of any property of the franchisee in the event of default, plus a reasonable allowance for attorney's fees and costs, up to the full amount of the bond. The bond shall provide for thirty (30) days' prior written notice to the County of any intention on the part of the franchisee to fail to renew or otherwise materially alter its terms.

2. The bond and all insurance policies called for herein shall be in a form satisfactory to the County and shall require thirty (30) calendar days' written notice of any cancellation to both the County and the franchisee. The franchisee

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shall, in the event of any such cancellation notice obtained, pay all premiums and file with the County written evidence of payment of premiums, duplicate copies of any insurance so cancelled within thirty (30) calendar days following receipt by the County and/or the franchisee of any notice of cancellation.

3. The franchisee shall, at its sole cost and expense, indemnify and hold harmless the County, its officials, boards, commissions, agents and employees against any and all claims, suits, causes of action, proceedings and judgments for damage arising out of the construction and operation of the cable television system under the franchise. These damages shall include, but not be limited to, penalties arising out of copyright infringements and damages arising out of any failure by the franchisee to secure consent from the owners, authorized distributors or licensees of programs to be delivered by the franchisee's CATV system whether or not any act or omission complained of is authorized, allowed or prohibited by the franchise. Indemnified expenses shall include, but not be limited to, all out-of-pocket expenses, such as attorney fees, and shall also include the reasonable value of any services rendered by the County Attorney or his assistants or any employees or officials of the County.

4. The foregoing indemnity is conditioned upon the County's giving the franchisee prompt notice of the commencement or making of any suit or action covered by the terms of this Section. Nothing herein shall be deemed to prevent the County from cooperating with the franchisee and participating in the defense of any litigation by its own Counsel at its sole cost and expense. No recovery by the County of any sum by reason of the bond required in this subtitle shall be any

limitation upon the liability of the franchisee to the County under the terms of this subtitle except that any sums so received by the County shall be deducted from any recovery which the County shall establish against the franchisee under the terms of this subtitle.

(B) Neither the filing of an indemnity bond with the County, nor the receipt of any damages recovered by the County thereunder, shall be construed to excuse faithful performance by the franchisee or limit the liability of the franchisee under the terms of its franchise for damages, either to the full amount of the bond or otherwise.

Section VI

Prohibitions

(A) Television Sales and Service - The Company and its employees shall not engage in the sale, service, rental, or leasing of television receivers in Queen Anne's County. Neither Company, nor its employees will be responsible for the operating condition of television receivers owned by its subscribers.

(B) Interference with Existing TV Reception - Installation shall be maintained so as not to interfere with TV reception already in existence.

Section VII

Provision of Service

(A) The Company shall install CATV system carrying, so long as it is technically and economically practical to do so, the number of television broadcast signals permitted by the current regulations of the Federal Communications Commission and any other regulatory agency. The television signals shall

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be capable of full fidelity color transmission.

(B) The Company shall at its own expense, and consistent with the Company's line extension policy, drop a line to all fire stations, police stations, the Queen Anne's County High School, the middle schools, the elementary schools, and any private schools which are in Queen Anne's County, Maryland. The Company shall make its facilities immediately available to the County upon request during the course of any emergency or disaster.

(C) Company agrees to accomplish significant construction within one (1) year after receiving all necessary licenses and approvals. Company shall notify the County, in writing, within ten (10) days after receipt of such necessary licenses and approvals. The Company shall, at all times during the life of their franchise equitably and reasonably extend energized trunk cable in compliance with Company's line extension policy, a copy of which shall be filed with the County as a part of the Company's franchise and shall not be amended without the prior written approval of the County.

Section VIII

Complaint Procedures

Procedures will be adopted by Company and the County with respect to the investigation and resolution of all complaints regarding cable television operations. The Company agrees to maintain a local business office or maintain a toll-free telephone line to handle the receipt and investigation of all complaints with respect to the quality of service, malfunction of equipment, and other matters relating to its operations. The County, or their designee, shall have primary responsibility for the continuing administration of the

franchise and implementation of complaint procedures. Notice of the procedures for reporting and resolving complaints will be given to each subscriber by Company at the time of initial subscription to the cable television system.

Section IX

The Company agrees to comply with all rules and regulations promulgated by the Federal Communications Commission with respect to the operation of cable television systems. Should the Federal Communications Commission modify or amend the provisions of Section 76.31 of its Rules and Regulations entitled, "Franchise Standards", such modifications or amendment shall be incorporated into this Ordinance within one (1) year of adoption of the modification or amendment, or at the time of franchise renewal, whichever occurs first.

Section X

Franchise Payments

(A) The franchisee shall pay to the County, each year during the life of the franchise, a franchisee fee in the amount of three percent (3%) of its annual gross subscriber revenues derived from its operation of the franchised cable television system within the franchise area limits.

1. The franchisee shall file with the County within sixty (60) days after the expiration of fiscal semi-annual period, a subscriber statement clearly showing the gross subscriber revenues received by the franchisee during the preceding quarter. Payment of the semi-annual portion of the franchise fee shall be payable to the County at the time each statement is filed. The franchisee shall also file within one hundred twenty (120) days following the conclusion of the franchisee's fiscal year, an annual report prepared and audited by a Certified Public Accountant acceptable to the County, showing the yearly total gross subscriber revenues.

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2. The County shall have the right, consistent with the provisions of this subtitle, of audit and inspection and to recompute any amounts determined to be payable under this subtitle, provided, however, that such audit shall take place within twelve (12) months following the close of each of the franchisee's fiscal years. Any additional amount due the County as a result of the audit shall be paid within the thirty (30) days following a written notice to the franchisee by the County, which notice shall include a copy of the audit report. The cost of said audit shall be borne by the franchisee if it is determined that the preceding year is increased thereby more than five percent (5%).

3. In the event that any franchise payment, or recomputed amount, is not made on or before the applicable dates specified herein, interest shall be charged from such due date at the annual rate of ten percent (10%).

Section XI

Rates Charges to Subscribers

(A) Any subscriber rate established shall be reasonable, just and fair to the public and shall provide the franchisee a reasonable return upon its investment.

1. By accepting the franchise granted pursuant to the terms and conditions imposed by this subtitle, the franchisee agrees that the County shall have the authority and right to cause the franchisee's fees for basic Regular Subscriber service to conform to the provisions contained herein.

2. The franchisee shall publish and make available to each potential subscriber a schedule of all applicable fees and charges for providing cable television service.

3. The franchisee shall not, with regard to fees, discriminate or grant any preference or advantage to any person; provided, however, that the fees may be negotiated between the franchisee and the subscribers, or committee acting on their behalf for basic service provided to ten or more dwelling units within an apartment building, condominium, garden apartment or townhouse complex under common ownership or to ten or more room units within hotels and motels or to commercial establishments engaged in the sale of television receivers.

4. The franchisee shall have the authority and the right to add to its service or installation fees any Federal, State or County taxes or fees directly imposed as a result of legislative or judicial action at the Federal, State, or local level. If, during the term of the franchise, the franchisee receives refunds of any copyright payments, it shall without delay notify the County, suggest a plan for flow-through of the refunds to its subscribers, and retain such refunds in an interest bearing account pending order to the County. After considering the plan submitted by the franchisee, the County shall order the flow-through of the refunds to the franchisee's subscribers in a fair and equitable manner.

5. Franchisee may, at its own discretion, waive, reduce or suspend connection (and or monthly service) fees for specific or indeterminate periods.

6. Franchisee may change established rates for "Regular Subscriber Services" only by giving the County written notice of proposed rate change, filed not less than ninety (90) days prior to the proposed effective date of the new rate(s). The County shall review the proposed rate change and may schedule and publish a notice of a public hearing on the matter to

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be heard within sixty (60) days of receipt of the notice of proposed change. At the public hearing, all interest parties shall be heard. Evidence shall be taken and received on all the elements reasonably deemed necessary by the County to be considered in determining the reasonableness of the proposed rates. Thereafter, the County shall decide the matter by a majority vote and render a written decision within ninety (90) days from receipt of the proposed rate change, approving, disapproving or modifying the proposed rate change. The decision shall set forth facts and conclusions regarding all of the basic elements considered in determining the rates, as set forth above. The decision of the County is subject to appeal to a court of competent jurisdiction if it is arbitrary, discriminatory or constitutes an abuse of discretion, but the pendency of such proceedings shall not affect the rates approved or decided by the County and, until and unless such decision or approval be overturned by a final order of the court (including appellate court), the rate shall not be changed. A judicial reversal of the County's approved rate shall not have retroactive effect.

7. Failure by the County to render its decision and notice within the ninety (90) days described above shall constitute approval of the proposed change and the franchisee may proceed accordingly.

8. Franchisee may change established rates for other than "Regular Subscriber Services", by giving the County and subscribers not less than the sixty (60) days notice. The County may at its option request the franchisee for documentation regarding cause for the increase to facilitate their review of the change. The right of review does not, however, constitute the right of approval as for the case of basic rates.

9. No request described in paragraph (6) above may be initiated if a similar request under said paragraph has been proposed within the previous six (6) months.

Section XII

Removal of Facilities Upon Request

Upon termination of service to any subscriber, the franchisee shall promptly remove all its facilities and equipment from the premises of such subscriber upon his request.

Section XIII

Amendment of Ordinance and Franchise

The County may amend this Cable Television Ordinance upon its own motion or the application of any franchisee whenever amendment is necessary to enable a franchisee to utilize new developments in television or radio signal transmission which would improve and update cable television service in the Franchise Area, or to comply with any modifications in the rules of the FCC. No amendment shall be adopted except after full, open public hearing affording due process, and no amendment substantially amending the existing rights and obligations of the County or any franchisee shall be adopted without their respective consents.

Section XIV

Separability

If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is for any reason held invalid or unconstitutional by any federal or state court or administrative agency of competent jurisdiction, specifically including the Federal Communications Commission, such portion shall be

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deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions hereof.

ENACTED AND ORDAINED this 24th day of August, 1982.

ATTEST:

THE COUNTY COMMISSIONERS OF
QUEEN ANNE'S COUNTY

Edward B. Suttles
Spada H. Palmatary *James R. Boston*
James E. Smith

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